

PENNSYLVANIA BULLETIN

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

No. 595, June 2024

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

The *Pennsylvania Bulletin* is available at www.pacodeandbulletin.gov.

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 5]

Order Amending Rule 509 of the Rules of Judicial Administration; No. 618 Judicial Administration Docket

Order

Per Curiam

And Now, this 4th day of June, 2024, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, and in the interests justice and efficient administration pursuant to Pa.R.J.A. No. 103(a)(3),

It Is Ordered that Rule 509 of the Rules of Judicial Administration is amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

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

Deletions from the rule are shown in bold and brackets.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 5. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Rule 509. Access to Financial Records.

(a) *General policy.* Financial records of the Unified Judicial System are presumed to be open to any member of the public for inspection or copying during established business hours. The term “financial records” is defined as any account, contract, invoice or equivalent dealing with: 1) the receipt or disbursement of funds appropriated to the system; or 2) acquisition, use or disposal of services, supplies, materials, equipment or property secured through funds appropriated to the system.

(b) *Accessibility.* All financial records are accessible to the public except the following:

(1) any part of a record setting forth information to which access is otherwise restricted by federal law, state law, court rule, court order or court policy;

(2) any part of a record setting forth a person’s social security number, home address, home telephone number, date of birth, operator’s license number, e-mail address, or other personal information;

(3) any part of a record setting forth the address of a judge’s chambers or office located outside a judicial facility;

[3] 4) any part of a record setting forth financial institution account numbers, credit card numbers, personal identification numbers (PINs) and passwords used to secure accounts;

[4] 5) any part of a record setting forth information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania.

Note: For purposes of Rule 509(b)(3), a “judicial facility” is a facility, such as a courthouse, that includes a courtroom, hearing room, or other rooms used by the court to conduct trials, hearings, or other public proceedings.

* * * * *

[Pa.B. Doc. No. 24-819. Filed for public inspection June 14, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

VENANGO COUNTY

Adoption of Local Rules of Judicial Administration: Rule 5102—Custody of Exhibits; Civ. No. 537-2024

Order

And Now, this 23rd day of May 2024, it is hereby *Ordered* that the Venango County Court of Common Pleas Local Rules of Judicial Administration—Rule 5102—Custody of Exhibits is *Adopted* as set forth hereinafter, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

In conformity with Pa.R.J.A. 103, one (1) copy of this Order shall be distributed to the Administrative Office of Pennsylvania Courts. Two (2) paper copies and one electronic copy shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. This Order shall also be published on the Court’s website and incorporated into the complete set of the Court’s Local Rules within thirty (30) days after the publication in the *Pennsylvania Bulletin*. This Order shall be continuously available for public inspection and copying in the office of the Prothonotary/Clerk of Courts.

By the Court

MATTHEW T. KIRTLAND,
President Judge

LOCAL RULES OF JUDICIAL ADMINISTRATION—VENANGO COUNTY

Rule 5102. Custody of Exhibits.

(a) *Purpose:* The purpose of this rule is to eliminate problems encountered by the Court relating to custody and storage of large exhibits. This rule is not intended to limit the exhibits which are either shown to the jury or sent out with the jury during deliberation.

(b) *Definitions:* The following words and phrases when used in these rules shall have the following meanings:

(1) “*Court Proceeding.*” Any trial, hearing, argument or similar event before a judge, panel, or hearing officer where evidence, if entered, is on the record including, but not limited to, civil and criminal trials, ancillary arguments, divorce, custody, support, delinquency, and dependency hearings before hearing officers and made of record. It does not include a proceeding before a magisterial district court, a judicial arbitration matter pursuant to Pa.R.Civ.P. 1301 et seq., a hearing before a register of wills pursuant to Pa.R.O.C.P. 10.3, or any matter that is not a record proceeding;

(2) “*Custodian.*” The Court Reporter shall be the custodian of all exhibits.

(3) “*Exhibit.*” A document, record, object, photograph, model, or similar item offered into evidence, whether or not admitted, in a court proceeding;

(4) “*Proponent.*” A party seeking the admission of an exhibit into the record in a court proceeding; and

(5) “*Records office.*” The entity with the responsibility and function to maintain and retain the official case file and list of docket entries as required by rule or law.

(c) *Custody:*

(1) *During Court Proceedings.* The Court Reporter shall be designated as the custodian during a court proceeding. The Court Reporter shall secure and maintain all exhibits during a court proceeding, including breaks and recesses, unless otherwise provided in herein.

(2) *After Court Proceedings.* The Court Reporter shall be designated as the custodian of all exhibits after court proceedings have concluded.

The Custodian shall:

(i) retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceeding;

(ii) File the index of documentary exhibits, photographs, and photographs of non-documentary exhibits with the Prothonotary/Clerk of Courts within five (5) business days of the conclusion of the court proceeding unless otherwise directed by the court; and

(iii) secure and maintain all other non-documentary exhibits as directed by the court.

(b) *Non-Documentary Exhibits.* Non-documentary exhibits may be returned to the proponent at the conclusion of the court proceeding unless the Court has concerns about the proponent’s ability to retain an exhibit through the exhaustion of all appeals and post-trial actions, the possibility that a proponent may be incapable or unable to maintain and secure an exhibit, as well as the possibility that a proponent may tamper with or otherwise permit the degradation of an exhibit. Accordingly, the Court may direct other provisions for securing the exhibit.

(c) *Index of Exhibits.* The Index of Exhibits shall be prepared and maintained by the Court Reporter and shall include all of the following information:

- (i) The case number;
- (ii) The title of the court proceeding;
- (iii) Initial start date of the court proceeding and of each successive session;
- (iv) The name of the presiding judge;
- (v) The exhibit number;
- (vi) A written description of each exhibit;
- (vii) The proponent of each exhibit;
- (viii) The date on which the exhibit was offered, admitted or not admitted into evidence; and
- (ix) The name of the Court Reporter.

(3) *Special Considerations:*

(a) *Documentary Exhibits.*

(i) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the

proponent shall ensure that a copy of the document reduced to 8-1/2 × 11 inches (or smaller) is entered into the record.

(ii) A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(b) *Photographs.*

(i) If a proponent offers into evidence a photograph, the proponent shall ensure that the original or a copy of the photograph in lieu of the original (no larger in size than 8-1/2 × 11 inches) is entered into the record.

(ii) A proponent who provides a copy of a photograph shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(c) *Non-documentary Exhibits: Generally.*

(i) If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit is entered into the record in lieu of the non-documentary exhibit.

(ii) A proponent who provides a photograph of a non-documentary exhibit shall ensure that the photograph is clear and capable of further reproduction or transfer to digital media.

(iii) If the exhibit is bulky, oversized or otherwise physically impractical for a court staff-custodian to maintain, the court staff-custodian may direct that the proponent offering the exhibit maintain custody of it and secure it during the court proceeding.

(d) *Non-documentary Exhibits: Weapons, Contraband, Hazardous Materials.*

(i) In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous and hazardous materials are offered into evidence, the proponent shall secure the exhibits while the court proceeding is in session, as well as during all breaks and recesses.

(ii) During the proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

(iii) Exhibits comprised of weapons, cash, other items of value, drugs, or other dangerous materials are prohibited from viewing in the jury room. The court may direct alternative viewing arrangements for such exhibits upon the request of the jury.

(e) *Use of Digital Media.* Any digital exhibit that cannot be printed (i.e. audio or video recording) or is not also presented via photograph, and any documentary exhibits of extraordinary size or bulk, defined as documents in excess of 100 pages, shall be entered into the record on a Universal Serial Bus (USB) flash drive. Multiple digital exhibits may be submitted by a party on one USB flash drive.

(f) *Duplicates.* The court may direct that the original item, and not a duplicate, be entered into the record.

(4) *Confidentiality.* If an exhibit offered into evidence contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (“Policy”), the proponent shall give a copy of the exhibit to the custodian and shall provide a certification to accompany each filing no later than five (5) days after the conclusion of the court proceeding. The certification shall be substan-

tially in the following form: "I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents."

(5) *Exhibits Under Seal.* Any exhibit sealed by the court during the court proceeding shall not be accessible to the public.

(d) *Retention:*

(1) All exhibits initially taken into custody by the custodian shall be taken from the custody of the custodian by the party who produced or offered them, or by such party's attorney of record, within ninety (90) days after the discontinuance of the case or the entry of a final judgment by the Court, or, in the event of an appeal, within ninety (90) days of the disposition of the case by the appellate court; otherwise, such exhibits shall be deemed to have been abandoned.

(2) Unless otherwise ordered, the proponent or filing office shall maintain non-documentary exhibits for the following time periods, at a minimum:

(a) *Non-criminal matters.* Retain exhibits until the later of the expiration of the appeal period or final disposition of the appeal, if one is taken.

(b) *Criminal matters.*

(i) *Homicides.* Retain exhibits 75 years.

(ii) *Summary cases.* Retain exhibits 5 years.

(iii) *Other cases.* Retain exhibits 20 years.

(3) Any exhibit containing confidential information or equivalent to any of the categories enumerated in PA. Access Policy § 8.0 shall include a certification prepared in compliance with § (c)(4) to accompany each filing so that the document can be properly sealed by the Prothonotary/Clerk of Courts.

(e) *Disposal:*

(1) The Custodian may petition the Court in writing for an order authorizing the destruction or disposal of any abandoned exhibits. Prior to disposing of a civil court exhibit, the Prothonotary shall notify by first class mail all counsel of record and any self-represented party at the party's last known address of the following:

(a) The exhibit will be disposed of if no claim is made within thirty (30) days and

(b) The exhibit will be returned to the party claiming the exhibit at the expiration of the thirty (30) days unless another party files an objection.

(2) The notice shall be substantially in the form prescribed below.

(3) After the destruction or disposal of an exhibit, the custodian shall verify such destruction or disposal by affidavit in the appropriate case file. The affidavit shall include a description of the method and date of disposal.

(CAPTION)

NOTICE OF INTENTION TO DESTROY OR DISPOSE OF COURT EXHIBITS

TO: _____ (Name of Person)

Please take notice that I intend to petition the President Judge of the Court of Common Pleas of Venango County for an order authorizing the destruction or disposal of the following exhibit(s) currently in my custody:

Under Local Rule No. 5102, you have thirty (30) days from the date of the mailing of this notice to retrieve custody of the exhibit from me; otherwise, I will present my petition and, if authorized by the President Judge, destroy or dispose of the same without further notice to you.

(a) You may retrieve the exhibit(s) at my office in the Venango County Courthouse, during regular business hours.

(b) Date of Mailing: _____

Signature of Official Custodian: _____

Title of Official Custodian: _____

[Pa.B. Doc. No. 24-820. Filed for public inspection June 14, 2024, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 59a]

Milk Sanitation

The Department of Agriculture (Department) proposes to amend Chapter 59a (relating to milk sanitation) to read as set forth in Annex A.

Statutory Authority

This proposed rulemaking is authorized under the act of July 2, 1935 (P.L. 589, No. 210) (31 P.S. §§ 645—660g), referred to as the Milk Sanitation Law (act). Section 19 of the act (31 P.S. § 660c) provides, “The Secretary of Agriculture is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act.” In addition, the act of June 30, 2021 (P.L. 333, No. 62) (Act 62 of 2021) added 3 Pa.C.S. §§ 5741—5747 (relating to milk sell-by date and best-by date labeling). Section 5747 of 3 Pa.C.S. authorizes the Department to adopt the regulations necessary to administer the provisions of 3 Pa.C.S. §§ 5741—5747. Under 3 Pa.C.S. §§ 5721—5737 (relating to food safety) (Food Safety Act), the term “milk” is included within the definition of a “potentially hazardous food” and provides the Department broad authority to regulate “milk” as necessary for the proper enforcement of the Food Safety Act. See 3 Pa.C.S. §§ 5722 and 5733 (relating to definitions; and rules and regulations).

Need for the Proposed Rulemaking

This proposed rulemaking would accomplish several regulatory objectives, including:

(1) authorization for issuance of an additional raw milk butter permit to raw milk permitholders, in response to the industry-driven initiative to provide more raw milk products. Sections 59a.363(a)(1)(i), 59a.401, 59a.402(b)(2) and (c), 59a.405, 59a.408, 59a.409(e), 59a.411(a)(1) and (2) and (c), 59a.412 and 59a.413(a) and (b) are proposed to be amended to provide standards for raw milk butter.

(2) implementation of the statutory requirements imposed by Act 62 of 2021. Sections 59a.15(a), (b), (b.1), (c), (d), (e) and (f) and 59a.411(a)(3)(i), (ii) and (iv) (relating to labeling: milk dating and label content review by the Department) are proposed to be amended to provide standards for 3 Pa.C.S. §§ 5741—5747.

(3) removal of an outdated and extraneous regulatory requirement for label and labeling preapproval by the Department for all permitholders, as preapproval of labels and labeling are not expressly required by the act or by any other act under which milk, milk products, milk for manufacturing or manufactured dairy products may be regulated,¹ and to align with all other food products, which do not require preapproval of labels. The Department retains this requirement, however, for those raw milk permitholders subject to Subchapter F (relating to raw milk for human consumption). The change was prompted by the industry stating that no other product label or labeling requires preapproval of the label or labeling and it was delaying their ability to quickly market new products. Section 59a.14(a), (b) and (c) (relating to labeling: bottles, containers and packages of

milk, milk products or manufactured dairy products), which provide standards for the label and labeling requirements for milk, milk products, manufactured dairy products or milk for manufacturing purposes which currently establish the parameters for preapproval of labels, are proposed be deleted. Subsection (d) is proposed to be expanded to establish minimum label and labeling requirements for bottles, containers and packages enclosing milk, milk products or manufactured dairy products. While labels must comply with those standards, no preapproval of the labels will be required. The raw milk label content review provisions of § 59a.411 are not amended and are not affected. Raw milk labels must still be submitted to the Department for preapproval.

(4) regulating sampler, weigher/sampler and milk tanker inspections previously conducted by the Pennsylvania Milk Marketing Board (MMB) in accordance with a Memorandum of Understanding (MOU) with the Department. The MOU was terminated in 2019, and since then, the Department has been tasked with conducting the field certifications and inspection programs required by the Interstate Milk Shippers Grade A Program (a United States Food and Drug Administration (FDA) Federal cooperative program that each state and commonwealth must adopt and conform to for their dairy industry to ship in interstate commerce) and the United States Department of Health and Human Services, Federal Grade “A” Pasteurized Milk Ordinance (Grade “A” PMO). Appendix B (relating to milk sampling, hauling and transportation) of the Grade “A” PMO requires samplers and weigher/samplers to be approved and milk tanker inspections to be done. The Department had established an MOU with the MMB under which the MMB did a large percentage of the sampler and weigher/sampler certification and milk tanker inspections. As set forth previously, the MOU terminated in 2019 and was not renewed. The Department has no certification standards or requirements set forth in regulation. Therefore, it is necessary to establish uniform standards through regulation and to properly inform the regulated community of the requirements to be met. Sections 59a.6(a), (b), (c) and (f), 59a.16(g), (h) and (i), 59a.107(a), 59a.382(g) and 59a.409(d) are affected by standards for regulation of a sampler or weigher/sampler and milk tanker inspections.

(5) making the regulation more understandable and user-friendly for the regulated community, and more closely aligned with the Federal Grade “A” milk standards outlined in the Grade “A” PMO. The most current revision of the Grade “A” PMO and its appendices, as published by the FDA, may be found on the Department’s web site at www.agriculture.pa.gov/consumer_protection/FoodSafety. The web site contains a link to an electronic copy of the document. Many provisions of the current regulations contain references to the Grade “A” PMO. Proposed amendments to §§ 59a.2 (relating to definitions) specifically the terms “approved sampler,” “certified industry inspector,” “Grade A PMO or PMO” and “(c) [a]dditional terms used in the Grade ‘A’ PMO,” 59a.4(i), 59a.5(b)(3) and (c)(3), 59a.6(c)(4) and (f), 59a.7, 59a.12(j), 59a.16(g),(i) and (j), 59a.21(a) and (d) and 59a.28(a)(1) and (b) are affected by, contain slight changes to, or provide standards related to the Grade “A” PMO.

¹ The act of July 2, 1935 (P.L. 589, No. 210) (31 P.S. §§ 645—660g); the act of August 8, 1961 (P.L. 975, No. 436) (31 P.S. §§ 520-1.1—520-9) referred to as the Milk Adulteration and Labeling Act, specifically section 520-6 (31 P.S. § 520-6); the Food Safety Act; and Act 62 of 2021.

*Summary of this Proposed Rulemaking**Proposed revisions to § 59a.2*

This section is proposed to be amended by adding or refining various defined terms and include citations for various statutes referenced elsewhere in the regulation. These amendments include the following:

The definition of “approved inspector” is proposed to be deleted. The current definition is different from the statutory definition. In addition, the proposed amendments to § 59a.4(b)(3) (relating to approved inspectors and certified industry inspectors) clarify the licensure standards for approved inspectors.

The definition of “approved sampler” is proposed to be amended to make it clear that an approved sampler includes a certified person that obtains milk sampled as a “dairy plant sampler” or “industry plant sampler,” as those terms are defined under the Grade “A” PMO. The rationale for this amendment is to achieve consistency with Federal milk regulations and standards as outlined in the Grade “A” PMO.

The definition of the term “BTU—bulk tank unit” is defined in the current regulation. The Department proposes to modify the definition slightly to clarify that it includes both individual dairy farms and groups of dairy farms from which milk is collected. The current definition references only a “group” of dairy farms. However, many BTUs are located on individual farms. Therefore, the definition now includes a specified farm in addition to a group of dairy farms. This was done to ensure both accuracy and clarity of the definition. The term “BTU,” while not defined in the Grade “A” PMO, is used in the Grade “A” PMO, which is adopted in the current regulations and is proposed to be amended in this proposed rulemaking, and in § 59a.16(e) (relating to marking, sealing and documentation for vehicles containing milk and milk products) of both the current regulations and this proposed rulemaking.

The definition of “certified industry inspector” is proposed to be added because the term is used in § 59a.4(h) regarding approved inspectors current regulation and proposed subsection (i) regarding the certification process.

The Department proposes to amend the current definition of “Grade ‘A’ PMO” to set forth information disclosing the Federal agencies that publish it, provide factual information disclosing it, provide the minimum standards for Grade “A” milk production and processing as established by the FDA and provide the proper link to the Department’s web site.

The definition of “HTST” is proposed to be amended to correct the definition. The current definition is incorrect because it states that HTST stands for “high temperature short term.” In actuality, HTST stands for “high temperature short time,” as provided in the definition of “pasteurization” in section 1 RR of the Grade “A” PMO (see definition of pasteurization).

The Department proposes the addition of the definition of “ISO/IEC 17025.” This term appears in the amended regulations at § 59a.5(a)(3) and (b)(2) (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results).

The Department proposes to amend the definition of “manufactured dairy products” to ensure it is the same as the statutory definition under section 1 of the act (31 P.S. § 645).

The Department proposes to amend the definition of “milk products” by deleting the last sentence, “[t]he term includes those foods that are milk products under the Grade ‘A’ PMO.” This sentence is inconsistent with the definition of “milk products” set forth in section 1 of the act.

The Department proposes to add the definition of “pasteurization” for clarity purposes. It is used in the definitions of “pasteurized” and “Pennsylvania-approved dairy laboratory” and in §§ 59a.7, 59a.12, 59a.14, 59a.15, 59a.17, 59a.19—59a.21, 59a.309, 59a.363, 59a.373, 59a.382, 59a.402 and 59a.405. The definition of “pasteurization” comes from section 1 RR of the Grade “A” PMO. The Department proposes to add the phrase “the milk used for” when referring to manufactured dairy products to clarify only milk must be pasteurized, and not other ingredients in the manufacture of dairy products.

The Department proposes to add the definition of “pasteurized” for clarity. The definition of pasteurized is combined with the definition of “pasteurization” at section 1 RR of the Grade “A” PMO. Webster’s Dictionary defines “pasteurize” as “to expose to pasteurization.” Therefore, the Department is proposing to define “pasteurized” in a manner that denotes the milk, milk product or milk used in manufactured dairy product has undergone pasteurization. The word pasteurized is used in the definition of “Grade ‘A’ PMO or PMO” and in §§ 59a.7, 59a.14—59a.16, 59a.20, 59a.309, 59a.363, 59a.373 and 59a.382.

The Department proposes to add the definition of “raw milk butter” since it is different from “butter” which is made from pasteurized milk and the term is used in §§ 59a.363(a), 59a.401, 59a.402(b)(2) and (c), 59a.408, 59a.409(e), 59a.411(a) and (c), 59a.412 and 59a.413 of this proposed rulemaking, all of which set forth standards for “raw milk butter.”

The Department proposes to add the definition of a “retail food facility” because that term is used throughout §§ 59a.12(b)(3), 59a.15 and 59a.501 (relating to permits; labeling; milk dating; and interrelatedness with the Retail Food Facility Safety Act and the Food Safety Act).

The Department proposes to amend the definition of “weigher/sampler” by (1) adding the terms “certified industry inspector,” “approved inspector” and “other authorized designee,” and (2) deleting the term “milk plant person,” because there is no person specifically defined or set forth in the act or the Grade “A” PMO related to weigher and sampler and (3) deleting the “Pennsylvania Milk Marketing Board” and replacing it with “or other Department-approved certifying body.” The Department had established an MOU with the MMB to do a large percentage of the certification, but the MOU expired in 2019 and the MMB did not approve a renewal. Therefore, the specific reference to the MMB has been replaced with the broader term “Department-approved certifying body.” The amendment clarifies that certified inspectors and approved inspectors, as defined in the regulation, and other persons certified by the Department may be a weigher/sampler. In addition, Appendix B of the Grade “A” PMO requires weigher/samplers to be approved by the regulatory agency.

The Department proposes to amend § 59a2(c) which provides for additional terms used in the Grade ‘A’ PMO by adding paragraphs (1) and (2). Paragraph (1) is simply created from current language for clarity and paragraph (2) clarifies that additional terms used in the Grade “A” PMO include “milk products” which include both “milk” and “manufactured dairy products.”

Proposed amendments to § 59a.3 (relating to contacting the Department)

The Department proposes to amend this section by updating the contact and address information.

Proposed amendments to § 59a.4

The Department proposes to:

1. Add “and certified industry inspectors” to the title.
2. Reduce the applicant age from 21 years of age to 18 years of age in subsection (b)(1). There is no legal reason to require a person to be 21 years of age to become a licensed approved inspector when the legal age of adulthood in this Commonwealth is 18 years of age—see 23 Pa.C.S. § 5101 (relating to attainment of full age)—and there are no special circumstances to require a person to be 21 years of age prior to licensure.
3. Amend subsection (b)(3) to establish that the Department will evaluate each applicant and to increase the number of joint dairy farm evaluation inspections to five. The increase in joint dairy farm evaluation inspections is more consistent with the standards established in section 5 of the Grade “A” PMO.
4. Amend subsection (e) by deleting the reference to “subsections (b) and” in the second sentence resulting in only subsection (d) being referenced. The reason for the change is that subsection (b) does not apply to continuing education requirements for license renewals. The amendment will correct an error in the current regulation.
5. Amend the heading in subsection (g) to read “license” instead of “certificate” as the Department issues licenses.
6. Add subsection (i), regarding the certification process, to make it consistent with the Grade “A” PMO, and current industry practice. The Department established language that clarifies a person must be licensed as an approved inspector prior to seeking certification as a certified industry inspector. In addition, the Department set forth general standards for initial certification and renewal of certification that are established in the Grade “A” PMO.

Proposed changes to § 59a.5

1. The Department proposes to amend the title of subsection (a) by adding “laboratory” to clarify these are general standards for all laboratories covered under this section. In addition, the Department proposes to add subsections to break down standards for all laboratories, pathogen testing laboratories and to provide for alternate laboratory methods.
2. The Department proposes to add subsection (a)(1) regarding Pennsylvania-approved, official and other laboratories. The general laboratory standards for sampling and testing conducted by Pennsylvania-approved laboratories, official laboratories and other laboratories are not substantively changed from those that appear in the current regulations under subsection (a). The Department proposes to add a web site reference, “found at AOAC.org,” to allow the regulated community to view any updates or familiarize itself with the standards of the “Official Methods of Analysis of the Association of Official Analytical Chemists.”
3. The Department proposes to add subsection (a)(2) which requires all laboratories that conduct sampling or examinations to be listed with the National Conference on Interstate Milk Shippers (NCIMS). That listing identifies the interstate milk shippers who have been certified by Milk Sanitation Rating Officers as having attained the

necessary milk sanitation compliance and enforcement ratings. The ratings are based on compliance with the requirements of the latest revision of the USPHS/FDA Grade “A” PMO and are made in accordance with the procedures set forth in the latest revision of the Methods of Making Sanitation Rating of Milk Shippers.

4. The Department proposes to add subsection (a)(3) regarding pathogen testing laboratories. Subsection (a)(3) provides specific standards that must be attained by laboratories that conduct pathogen-specific testing required by the regulations. It requires laboratories conducting pathogen testing to have received accreditation to the ISO/IEC 17025 standard from a National third-party laboratory accrediting body that is a full member of the International Laboratory Accreditation Cooperation (ILAC) and a signatory to the ILAC mutual recognition arrangement. This proposed amendment helps to establish uniform standards across the industry and ensure proper, legally defensible and valid testing.

5. The Department proposes to add subsection (a)(4) regarding alternate laboratory methods, which provides that the Department may evaluate and approve alternative laboratory sampling and testing standards and procedures concerning bacteriological analysis of milk, milk products and manufactured dairy products. Approved methods would be published in the *Pennsylvania Bulletin*. This proposed amendment would provide some flexibility for “alternate laboratory methods” as new testing standards and techniques, proven to be just as effective as those currently followed, may come available in the future. Section 16 of the act (31 P.S. § 660) provides the Secretary authority to “. . . make requirements concerning the number and character of bacteria in milk, milk products and manufactured dairy products after hearing. Bacteriological analysis of milk, milk products and manufactured dairy products shall be made under the supervision of a laboratory, the equipment and director of which have been approved by the Secretary of Agriculture. The bacterial analysis of milk, milk products and manufactured dairy products shall be in accordance with. . . unless special permission is given by the secretary for a modification of the above standard methods.”

6. The Department proposes to amend the title of subsection (b) to read “laboratory reports.” The intent is to provide clarity that the standards under this section address laboratory reports. In addition, the Department proposes to split subsection (b) into three paragraphs, (1) addressing Pennsylvania-approved laboratory signatories, (2) addressing other laboratories’ signatories and (3) addressing reporting timetables for all laboratories.

7. The Department proposes to add subsection (b)(1), regarding Pennsylvania-approved laboratories, to this section. The standards for reports issued by Pennsylvania-approved laboratories and official laboratories are not changed from those that appear in the current regulations under subsection (b).

8. The Department proposes to add subsection (b)(2), regarding other laboratories, to address signature standards for laboratories, other than Pennsylvania-approved dairy laboratories or an official laboratory, issuing reports of the results of laboratory examinations. The proposed amendment is intended to provide clarity and to ensure uniform standards across the industry. The language of paragraph (2) establishes substantially the same signatory standards as those established in paragraph (1), allowing the laboratory director or person designated by the laboratory director to sign the laboratory reports. The only difference is that if the laboratory report is signed by

someone other than the laboratory director or a designee, the signatory must be a person designated by the laboratory's ISO/IEC standard accreditation documents. The Commonwealth may not specify a higher standard than that accepted by the industry.

9. The Department proposes to add subsection (b)(3), regarding report timetable, to clarify and establish reporting time periods for all laboratories. The timetables are those required in the NCIMS Grade "A" Program, or within 30 days of the test completion. This proposed amendment also addresses the timetable, 48 hours, for reporting results that are noncompliant with the standards of the Grade "A" PMO or the regulations. This is intended to provide clarity and a uniform standard for the industry to follow.

10. The Department proposes to amend subsection (c), regarding the Pennsylvania-approved dairy laboratory director, by deleting subparagraphs (i) and (ii) and adding paragraphs (5)—(8).

11. The Department proposes to amend subsection (c) by deleting subparagraph (i) standards that required the completion of a written examination as part of the criteria for becoming a provisionally certified dairy laboratory director as that is not required by the statute or the Grade "A" PMO. Subparagraph (ii) would no longer be necessary without subparagraph (i) so the language of subparagraph (ii) is proposed to be incorporated into paragraph (3). The language of what was subparagraph (ii) is proposed to be amended by adding language to require an onsite performance and facility evaluation that is "in accordance with the current *Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration* and the Grade 'A' PMO." The Department's rationale for this amendment is that it is already industry practice and the Bureau of Food Safety and Laboratory Services (Bureau) desires to codify current practice consistent with Federal milk regulations standards including the Grade "A" PMO provisions.

12. The Department proposes to amend subsection (c) by adding paragraphs (5)—(7) which provide additional standards that a certified Pennsylvania-approved dairy laboratory director must follow. The language of paragraph (5) requires the director to continue to participate in the Department-conducted milk split sample proficiency program. Paragraph (6) requires the director to operate the Pennsylvania-approved laboratory in conformance with the standards of the act and the regulation, and paragraph (7) requires the director to ensure all records of laboratory test results are accurate and in compliance with the standards of the act and the regulations. These additions are intended to help ensure compliance and accountability.

13. The Department proposes to amend subsection (c) by adding paragraph (8) to clarify that any falsification of required records is a violation of the regulation. This will help to ensure compliance and accountability.

14. The Department proposes to amend this section by adding subsection (d), regarding refusal, revocation or suspension of approval of certification, which provides that upon written notice and opportunity for a hearing the Department may refuse, revoke or suspend a Pennsylvania-approved laboratory approval or a Pennsylvania-approved laboratory director certification for any violation of the act or regulation.

Proposed addition of § 59a.6 (relating to approved sampler and weigher/sampler)

The Department proposes to add § 59a.6 to the regulation which establishes certification criteria for an individual to be approved as a sampler or weigher/sampler consistent with the requirements established in the Grade "A" PMO. This section is more specific in detailing current practices of the Department in fulfilling the standards established in § 59a.104 (relating to certification of bulk milk collectors—weighers/samplers). This amendment would ensure samplers and weigher/samplers are properly and uniformly trained thereby providing better service to the industry and ensuring accountability now that the Department has assumed full responsibility for these certifications. By way of background, the Department had previously established an MOU with the MMB to do a large percentage of the certification, but the MOU expired in 2019 and the MMB did not approve a renewal. The overall purpose of this section is to align the regulation with the standards set forth in the Grade "A" PMO, provide for uniform certification standards and provide applicants with a general overview of the requirements for certification as a sampler or weigher/sampler. The proposed amendments require forms that will be provided by the Department. Those forms are attached to this proposed rulemaking. More specifically, the Department proposes to:

1. Add subsection (a), regarding application for approved sampler, which sets forth the manner by which a person may apply to the Department to be certified as an approved sampler. The Department will provide the certification application forms and the certification renewal forms.

2. Add subsection (b), regarding application for weigher/sampler, which sets forth the manner by which a person may apply to the Department to be certified as a weigher/sampler. The Department will provide the certification application forms and the certification renewal forms.

3. Add subsection (c), regarding criteria for approval, which includes three paragraphs. Paragraph (1) establishes the general criteria for certification as a sampler or weigher/sampler. The general criteria includes training and experience in the area of sampling milk, milk products and manufactured dairy products and passing a Department-administered or -approved field test to verify the applicant is utilizing proper sampling techniques. The Department added examples of the basic training or experience a person should have prior to applying for the position. Once the application is accepted the applicant must pass a field test, involving sampling technique, that is administered by the Department, or a Department-approved certifying body. Paragraph (2) sets forth additional criteria for a weigher/sampler certification, including training and experience in weighing milk for approval of the initial application, and once the applicant is accepted, the completion of a Department or MMB-administered written examination with a final score of at least 70%. Paragraph (3) provides language that will allow the Department to modify the training and approval criteria to remain consistent with the particular provisions in Appendix B of the Grade "A" PMO. This will help to ensure samplers and weigher/samplers are consistently trained and certified, thereby providing uniformity in sampling and weighing and sampling across the industry.

4. Add subsection (d), regarding certificate, establishing that the Department will issue a certificate in the

appropriate field (sampler or weigher/sampler) to any applicant meeting the standards established in subsection (c).

5. Add subsection (e), regarding duration of certificate; renewal, which establishes that certificates expire January 1 of each calendar year. Paragraph (1) requires that applicants apply or reapply for a certificate by December 31 of the preceding calendar year and paragraph (2) requires the applicant to provide verification of compliance with the continuing education requirements of the regulation.

6. Add subsection (f), regarding continuing education and recertification requirements, which requires continuing education for certified samplers and weigher/samplers. Paragraph (1) establishes that a prerequisite to renewal of certification as a sampler or weigher/sampler is that the applicant attend a Department or Department-approved continuing education training course that meets the requirements established in Appendix B of the Grade "A" PMO. Paragraph (2) requires applicants to demonstrate proper sampling techniques to the Department every 24 months. This subsection is intended to help ensure all samplers and weigher/samplers have up-to-date training and remain competent in the necessary skills to carry out their jobs.

7. Add subsection (g), regarding refusal, revocation or suspension of certificate, which provides that the Department may, upon written notice and opportunity for a hearing, refuse, revoke or suspend a certificate for any violation of the act or the regulation.

Proposed addition of § 59a.7 (relating to pasteurization standards)

This section provides specific standards for milk, milk products or manufactured dairy products that are sent for pasteurization. This section does not change the regulatory requirements enforced under the Grade "A" PMO and will provide clarity and ease of finding the requirements to the regulated community by referencing and providing a citation to the Grade "A" PMO pasteurization standard details within the regulation.

Proposed amendments to § 59a.12

The Department proposes the following amendments to § 59a.12:

Amend subsection (b), regarding exceptions, by making the following changes to paragraphs (3)—(5):

1. In paragraph (3) delete the broad reference to "store" and add clarity by adding "retail food facility or any other facility where these products are to be consumed on-premises. . . ." In addition, delete the redundant and now incorrect phrase "milk or milk products" and amend it to read ". . . when products have been purchased. . ." with "products" referring to the beginning of the sentences which clarifies that this paragraph refers to "milk, milk products or manufactured dairy products." Finally, the words "manufactured dairy products" are proposed to be added to the end of the sentence. This creates uniform language throughout the paragraph clarifying it only pertains to "milk, milk products and manufactured dairy products."

2. Delete current paragraph (4). The same language appears in section 2 of the act (31 P.S. § 646). This is redundant in the regulation because the facilities set forth are all retail food facilities that are addressed in paragraph (3).

3. In paragraph (5), delete the phrase "and exempted from permit requirements in accordance with the act."

That phrase is unnecessary as the act has a specific exemption for a person producing and selling from a single cow. See 31 P.S. § 646.

4. Amend subsection (j) by adding two sentences: one citing the standards and provisions of the Grade "A" PMO that require a permit for the interstate movement of milk products including the movement, manufacture, sale, storage or receipt of milk products, and the second sentence identifying when the Department will issue a permit. The Department proposes to add the information to provide additional clarity for the regulated community.

Proposed amendments to § 59a.13 (relating to adulterated or misbranded milk, milk products or manufactured dairy products)

The Department proposes to make a small formatting change to the title of section 2 of the Grade "A" PMO (relating to adulterated or misbranded milk and/or milk products) to ensure it matches the title set forth in the Grade "A" PMO.

Proposed amendments to § 59a.14

The Department proposes the following amendments to § 59a.14:

1. Delete subsections (a)—(c). The requirement for all dairy labels to be approved by the Bureau is not a requirement under the statute and it is extremely time consuming and burdensome on the Bureau. Furthermore, no other food has to have the labeling approved by a regulatory entity at a Federal or state level. The industry has the ultimate responsibility to make sure their labels are compliant with labeling standards established by the Department and at the Federal level. As with every other food under the Food Safety Act, if a label is noncompliant the Department would document that on an inspection and the firm would need to correct it. With regard to raw milk, the requirement for the raw milk permittees to seek label approval before using their labels was maintained. These small processors need guidance, and it will be much easier to work with them prior to them printing large amounts of labels than to force corrections if they are noncompliant. The Bureau will also continue to do "courtesy reviews" of labels upon request, as it currently does with any other food processors.

2. Amendments to the language related to label requirements in subsection (d) are necessary to establish and ensure compliance with the Commonwealth's and Federal labeling standards, including the act, the Food Safety Act and 3 Pa.C.S. §§ 5741—5747 and the Fair Packaging and Labeling Act (15 U.S.C. §§ 1451—1461). In addition, the Bureau clarified that "manufactured dairy products" must also meet the label requirements. Amendments are also proposed to be made to replace any reference to "product" with the more specific references to "milk," "milk product" or "manufactured dairy product."

3. Amendments to subsection (e) set forth the proper title of § 59a.16 of the regulation and delete the label requirement exclusion for raw milk for human consumption addressed in § 59a.411 of the regulation.

4. The addition of subsection (f)(1) and (2), regarding false and misleading material, for clarity and the purpose of consumer protection. Paragraph (1) clarifies that labels containing additional claims, such as A2A2, organic, kosher, grass fed or other marks or endorsements, must be accompanied by documentation supporting these claims and the documentation must be provided to the Department upon request. Paragraph (2) provides that certification issued by a National or third-party accredita-

tion or certification process must be maintained by the permittee and must support the marks, words or endorsements used on the label. Proof of certification must be provided to the Department upon request.

5. Amend subsection (g) by amending the word “regarding” to “relating to” in the Grade “A” PMO section reference.

Proposed amendments to § 59a.15

The Department proposes the following amendments to § 59a.15:

1. Clarification of which entities are included under this section by adding the more encompassing “retail food facility” and providing additional examples of farmers markets and roadside stands which commonly provide milk to consumers.

2. Addition of subsection (b.1) that specifies “sell by” and “best by” date limitations of 17 days which is in accordance with recently passed legislation found in 3 Pa.C.S. §§ 5741—5747.

3. Provisions for both a “sell by” and “best by” date. These provisions are proposed to be added to subsections (a)—(c) and are in accordance with recently passed legislation relating to milk sell-by date and best-by date labeling, found in 3 Pa.C.S. §§ 5741—5747, allowing for a “best by” date designation.

4. An additional process, in subsection (f), to petition the Department for approval to utilize a “sell by” or “best by” date that is greater than the 17-day period, as allowed by 3 Pa.C.S. §§ 5741—5747, established by the regulation. The process contains strict provisions for sampling, testing methodology, bacterial limits and storage, as well as authorizing the Department to take regulatory samples and view results of all testing. These provisions provide for a safe product while at the same time reducing food waste.

5. An amendment to subsection (e), regarding monitoring by the permitholder and the Department, including adding “the permitholder and” to the title to denote the permitholder now has monitoring duties, to require, under paragraph (1), the permit holder to sample and submit milk for routine monitoring testing dependent on whether the permitholder uses sell by or best by dates of 17 days or less or sell by and best by dates of greater than 17 days. Proposed paragraph (1.1) provides the Department discretion to monitor a permitholder through the pulling and testing of samples. Paragraph (2) further clarifies the testing methodology to be used and paragraph (3) establishes the process for sampling and retesting milk that exceeds bacterial limits for pasteurized milk. Paragraph (4) is proposed to be amended by adding a header to distinguish it as providing the process for resumption of a 17-day or less “sell by” or “best by” date. The language was clarified to require the submission of three samples in accordance with the requirements of 3 Pa.C.S. §§ 5744(b)(3)(i) and 5746(d)(2) (relating to sell-by date or best-by date of greater than 17 days from pasteurization; and monitoring by milk plants and department), and the language is proposed to be amended to be consistent with the provisions of 3 Pa.C.S. § 5746(b), regarding methodology, that require samples to be submitted to a Pennsylvania-approved dairy laboratory. Finally, proposed paragraph (5) establishes sample submission standards for reapplying to reinstate an extended “sell by” or “best by” date, and proposed paragraph (6) provides that test results must be submitted to the permitholder and the Department.

Proposed amendments to § 59a.16

The Department proposes the following amendments to § 59a.16:

1. The section name is proposed to be amended to better reflect the standards set forth in this section and to add manufactured dairy products since the substantive provisions of this section add and thereby clarify that manufactured dairy products are also regulated under these provisions.

2. Subsection (c)(12) clarifies the product grade must reference “Grade A” if the milk, milk products, or manufactured dairy products being transported are Grade “A” to clarify that the provisions of that subsection apply to Grade “A” and not nongrade “A” milk.

3. Adding subsection (g), regarding vehicle or milk tank truck inspection. The subsection provides clarity for the industry by adding language in accordance with section VIII (relating to milk tank truck permitting and inspection) of Appendix B of the Grade “A” PMO, which requires the Department to inspect all vehicles transporting raw, heat-treated or pasteurized milk, milk products or manufactured dairy products at least every 24 months or sooner if violations are found.

4. Adding subsection (h), regarding reporting and inspection. This provision relates to subsection (g) by requiring haulers and milk plants to provide, on forms supplied by or approved by the Department, an annual report of vehicles and milk trucks in their fleet and making milk trucks and vehicles available for inspection by the Department.

5. Adding subsection (i), regarding proof of inspection. Again, in accordance with subsection (g), which requires inspections, this subsection provides that upon a compliant inspection the Department will issue and apply a sticker to each vehicle or milk truck passing inspection, indicating compliance and setting forth the expiration date of the valid inspection.

6. Subsection (f), regarding reference to applicable provisions of the Grade “A” PMO, is proposed to be deleted and recodified as subsection (j) because of the other proposed amendments. This allows the regulations to have proper order and clarity. In addition, the provisions of what had been subsection (f) are proposed to be amended to update the applicable provisions of the Grade “A” PMO by adding a reference to Appendix B of the Grade “A” PMO.

Proposed amendments to § 59a.17 (relating to inspection of dairy farms and milk plants)

The Department proposes the following amendments to § 59a.17:

1. Deletion of a sentence related to inspection of raw milk producers in subsection (a). Raw milk is addressed later in this proposed rulemaking.

2. Addition of a standard requiring the bulk milk tank of the producer to be empty for any initial or change of market inspection.

3. Other amendments are minor and reflect clarity changes, such as setting forth a “relating to...” phrase when an Appendix or section of the Grade “A” PMO is mentioned.

Proposed amendments to § 59a.18 (relating to sampling and examination)

The Department proposes the following amendments to § 59a.18: The majority of amendments to this section are

minor clarity changes, such as setting forth a “relating to . . .” phrase when an Appendix or section of the Grade “A” PMO is mentioned. The Department proposes to add language to subsection (a) requiring laboratories to be compliant with the requirements of § 59a.5. Therefore, the Department proposes to delete what would be redundant language in subsection (a), requiring a laboratory to be listed with the NCIMS or to operate “in accordance with the current Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration and current FDA 2400 Laboratory Series forms, or the Department.”

Proposed amendments to § 59a.19 (relating to standards for grade “A” milk for pasteurization, ultrapasteurization or aseptic processing)

The Department proposes the following amendments to § 59a.19: The one amendment to this section is a minor clarity change setting forth a “relating to . . .” phrase when a section of the Grade “A” PMO is mentioned.

Proposed amendments to § 59a.20 (relating to standards for grade “A” pasteurized, ultrapasteurized and aseptically processed milk and manufactured dairy products)

The Department proposes the following amendments to § 59a.20:

1. The title of the section is proposed to be amended to reflect that it covers manufactured dairy products as well as milk and that it covers all milk whether Grade “A” or non-grade “A” milk. The words “Grade A” are proposed to be deleted as the standard applies to all the milk and manufactured dairy products produced in this Commonwealth, whether from Grade “A” milk or non-grade “A” milk. Non-grade “A” milk may be pasteurized, ultrapasteurized or aseptically processed. It may also be utilized for manufactured dairy products. The Department also proposes to amend the title of the section.

2. Subsection (a) reflects that proposed amendment.

3. Subsection (b) reflects a proposed amendment to “(relating to . . .)” which is a proper formatting amendment.

4. Amendments to subsection (b)(14), (16) and (20) reflect amendments to the terms of the Grade “A” PMO that paragraphs (14), (16) and (20) fall under.

Proposed amendments to § 59a.21 (relating to standards)

The Department proposes the following amendments to § 59a.21:

1. The title of subsection (a) is proposed to be amended to reflect it covers manufactured dairy products as well as milk. The term “milk products” in the act and in the milk sanitation regulations includes ice cream. The definition of “milk products” differs between the act and the Grade “A” PMO. The definition under the act and its regulations states, “Ice cream, ice cream mix, custard ice cream, french ice cream, frozen custard and other similar frozen products, and all dairy products used in the manufacture thereof. The term includes those foods that are milk products under the Grade ‘A’ PMO.” The Grade “A” PMO defines “milk products” in a manner that excludes ice cream or frozen desserts. Therefore, to include milk products under this subsection would be inconsistent with the Grade “A” PMO. The standards for “milk products” are established under subsections (b) and (c).

2. The rest of the amendments, with the exception of the somatic cell count exception in subsection (a), reflect formatting (“relating to . . .”) changes, including manufac-

tured dairy products and changes to reflect amendments to the Grade “A” PMO section numbers and titles.

3. The exception, in subsection (a), to the somatic cell count reflects and is consistent with negotiated changes with the industry. These occur throughout this proposed rulemaking.

Proposed amendments to § 59a.22 (relating to animal health)

The Department proposes a minor formatting change.

Proposed amendments to § 59a.23 (relating to milk, milk products and manufactured dairy products which may be sold)

The Department proposes the following amendments:

1. The title of the section is proposed to be amended to reflect that it covers manufactured dairy products as well as milk and milk products.

2. The rest of the proposed amendments reflect minor formatting changes and changes to reflect amendments to the title of section 9 of the Grade “A” PMO.

Proposed amendments to § 59a.24 (relating to transferring; delivery containers; cooling)

The Department proposes a minor formatting change and changes to reflect amendments to the title of section 10 of the Grade “A” PMO.

Proposed amendments to § 59a.25 (relating to milk, milk products and manufactured dairy products from points outside this Commonwealth)

The Department proposes a minor formatting change to subsection (b) and changes to reflect amendments to the title of section 11 of the Grade “A” PMO.

Proposed amendments to § 59a.26 (relating to plans for construction and reconstruction)

The Department proposes a minor formatting change to subsection (b).

Proposed amendments to § 59a.27 (relating to plans for personal health)

The Department proposes a minor formatting change.

Proposed amendments to § 59a.28 (relating to procedure when infection or high risk of infection is discovered)

The Department proposes the following amendments to § 59a.28:

1. Clarity to ensure inclusion of “manufactured dairy products” in the regulated products throughout.

2. Subsection (a)(1), an amendment to reflect the actual sections of the Grade “A” PMO, specifically sections 13 and 14 (relating to personnel health; and procedure when infection or high risk of infection is discovered) that apply to immediate exclusion of a person from handling milk, milk products or manufactured dairy products, and not section 15, which relates to enforcement.

3. Subsection (b), an amendment to reflect the actual section of the Grade “A” PMO, specifically section 14, and not section 16 (relating to penalty) applies.

Proposed amendments to § 59a.102 (relating to milk permits)

The Department proposes minor amendments for clarity to ensure milk products and manufactured dairy products are included.

Proposed amendments to § 59a.103 (relating to plant inspection)

The Department proposes minor amendments for clarity to ensure milk products and manufactured dairy products are included.

Proposed amendments to § 59a.104

The Department proposes to delete the broad and somewhat vague standard contained in subsections (a) and (b) and instead rely on the new and very specific certification and training provisions for samplers and weigher/samplers which is established in § 59a.6.

Proposed amendments to § 59a.105 (relating to approved milk graders)

The Department proposes to delete this section. No current approved milk graders exist and the current Grade "A" PMO or United States Department of Agriculture (USDA) recommended requirements have no provisions for these graders.

Proposed amendments to § 59a.106 (relating to basis)

The Department proposes a minor change, deleting "sediment content" from the raw milk quality classification, consistent with the deletion of § 59a.108 (relating to sediment content classification), and sets forth §§ 59a.107, 59a.109, 59a.110 and 59a.111, which establish the appearance and odor, bacterial estimate classification, somatic cell count and drug residue level standards.

Proposed amendments to § 59a.107 (relating to appearance and odor)

The Department proposes to break this section into subsections (a) and (b). Subsection (a) provides that approved samplers shall be responsible for ensuring that raw milk for manufacturing purposes meets the requirements of the section for appearance and odor. Subsection (b) contains the current language of the section, but the Department proposes to delete the reference to § 59a.108 since it is proposed to be deleted because it establishes sediment content classifications which the Department will no longer require. The Department also proposes to delete the word "excessive" from the language of subsection (b) as that term is too broad. In practice, if the inspector can visually see any sediment in the milk, then the milk should be rejected.

Proposed amendments to § 59a.108

The Department proposes to delete this section. The Department proposes, consistent with §§ 59a.106 and 59a.107 amendments, to remove all standards regarding sediment content, other than visual examination under § 59a.107, as sediment content is no longer used to determine quality of milk for manufacturing under the current Grade "A" PMO and is only a recommended requirement under the current USDA, Agricultural Marketing Service, Dairy Programs, titled *Milk for Manufacturing Purposes and its production and Processing-Recommended Requirements*.

Proposed amendments to § 59a.109 (relating to bacterial estimate classification).

The Department proposes two minor changes. First, the addition of language allowing other laboratories that are compliant with § 59a.5 to analyze milk samples. The proposed compliant laboratory standard has been added throughout this proposed rulemaking and expands the scope, while still requiring the same high standards, of laboratories sanctioned to test milk samples. Second, inserting the word "producer" to clarify that any bacterial

count in excess of 500,000 bacteria per milliliter will be considered a producer violation.

Proposed amendments to § 59a.110 (relating to somatic cell count)

The Department proposes the following amendments to § 59a.110:

1. The Department proposes to add language allowing other laboratories that are compliant with § 59a.5 to analyze milk samples. The compliant laboratory standard is proposed to be added throughout this rulemaking and expands the scope, while still requiring the same high standards, of laboratories sanctioned to test milk samples. This clarifies what is happening in the industry and provides a service to producers that border other states.

2. In accordance with changes requested by the regulated community, the Department proposes to reduce the somatic cells per millimeter from 750,000 to 500,000. The industry is already requiring these lower counts from their producers: the lower somatic cell counts make the milk easier to pasteurize and process and help to ensure a safer raw milk product.

3. For clarity, the Department proposes to add "sheep" to the somatic cell count standards that previously only included "goat" milk.

4. For clarity, the Department proposes to insert the word "producer" to clarify that any excess somatic count violations will be considered a producer violation.

Proposed amendments to § 59a.111 (relating to drug residue level)

The Department proposes a minor formatting change and to insert "Milk products. . ." in subsection (a) to clarify milk products are regulated under this section. The Department proposes a change to paragraph (1)(v) to clarify that all sample results, positive and negative, are to be reported.

Proposed amendments to § 59a.112 (relating to rejected milk)

The Department proposes to delete language referencing sediment content. The Department proposes, consistent with proposed amendments to §§ 59a.106—59a.108, to remove all standards regarding sediment content.

Proposed amendments to § 59a.113 (relating to suspended milk for manufacturing)

The Department proposes the following amendments to § 59a.113:

1. The Department proposes to delete the language in paragraphs (1) and (2) referencing deleted § 59a.108 and sediment content.

2. The Department proposes, consistent with proposed amendments to §§ 59a.106, 59a.107, 59a.108 and 59a.112, to delete all standards regarding sediment content.

3. The Department proposes to make amendments consistent with the proposed reductions to somatic cell counts and the addition of sheep in other sections of the proposed regulation.

Proposed amendments to § 59a.114 (relating to inspection and quality testing of milk from producers)

The Department proposes the following amendments to § 59a.114:

1. Consistent with proposed amendments to § 59a.17, in § 59a.114(a)(1) the Department proposes to add the requirement that initial and change market inspections be done with an empty bulk milk tank.

2. The Department proposes to delete subsections (b)(2) and (c)(2) referencing § 59a.108.

3. The Department proposes, consistent with proposed amendments to §§ 59a.106—59a.108, 59a.112 and 59a.113, to delete all standards regarding sediment content.

4. The Department proposes a minor formatting change to subsections (c) and (d).

Proposed amendments to § 59a.116 (relating to abnormal milk)

The Department proposes the following amendments to § 59a.116:

1. The Department proposes that all references to “cows” or “dairy cattle” be changed to “dairy animals” for clarity and consistency.

2. The Department proposes a minor formatting change to subsection (c).

Proposed amendments to § 59a.201 (relating to farm inspection)

The Department proposes the following amendments to § 59a.201:

1. The Department proposes, consistent with proposed amendments to § 59a.17, to amend paragraph (1) by adding the requirement that initial and change-of-market inspections be done with an empty bulk milk tank.

2. The Department proposes to delete the language in paragraph (2) referencing sediment content. The Department proposes, consistent with §§ 59a.106—59a.108 and 59a.112—59a.114 amendments, to delete all standards regarding sediment content.

3. The Department proposes to amend paragraph (3) by adding “e-mail” as an accepted means of notification.

Proposed amendment to § 59a.202 (relating to milking facilities and housing)

The Department proposes to delete the word “pools” from subsection (e), as it is redundant and is covered by the “standing water” standard.

Proposed amendments to § 59a.205 (relating to milkhouse and milkroom)

The Department proposes to amend subsection (b) to add insects to the list of contaminants that must be controlled.

Proposed amendments to § 59a.207 (relating to water supply)

The Department proposes a minor formatting change to this section.

Proposed amendments to § 59a.302 (relating to buildings)

The Department proposes the following amendments to § 59a.302:

1. The Department proposes to amend subsection (b) by adding self-closing to the requirements for outside doors opening into processing rooms and adding insects to the list of contaminants that must be controlled.

2. The Department proposes to amend subsection (f)(5) by deleting the language, “the current *Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration* and

current FDA 2400 Laboratory Series forms,” as the required standard and replacing it with the updated standards established in § 59a.5. This is consistent with the changes made to other sections related to laboratory standards.

Proposed amendments to § 59a.303 (relating to facilities)

The Department proposes to amend subsection (a) by deleting the language “twice a year” and replacing it with “every 6 months.” This adds clarity to the standard and ensures the bacteriological examinations are spread out over the year.

Proposed amendments to § 59a.307 (relating to protection and transport of raw milk and cream)

The Department proposes to delete the word “milkstone” from subsection (a) and replace it with “milk residue” for clarity.

Proposed amendment to § 59a.308 (relating to raw product storage)

The Department proposes to amend subsection (e)(4) by replacing the word “license” with the word “permit” since a plant holds a “permit” under the act and that is what would be affected.

Proposed amendments to § 59a.309 (relating to pasteurized, ultrapasteurized or aseptically processed and packaged products)

The Department proposes to amend § 59a.309 to cite to the pasteurization standards that are now set forth in the substantive provisions of the regulation in § 59a.7, instead of citing a definition in § 59a.2, and to change the word “insure” to “ensure” for proper grammar purposes.

Proposed amendments to § 59a.310 (relating to composition and wholesomeness)

The Department proposes to amend § 59a.310, to ensure consistency and clarity by adding “milk,” “milk products” and “manufactured” dairy products throughout, adding a citation to applicable Federal regulations in 21 CFR, Chapter I, Subchapter B (relating to food for human consumption) and adding the requirement of adherence to Commonwealth regulations and statutes.

Proposed amendments to § 59a.313 (relating to plant records)

The Department proposes to amend § 59a.313 by deleting language in paragraph (1) referring to “sediment.” This proposed change is consistent with proposed amendments to §§ 59a.106—59a.108, 59a.112—59a.114 and 59a.201 which remove all standards regarding sediment content.

Proposed amendments to § 59a.314 (relating to packaging and general identification)

The Department proposes to amend § 59a.314, to ensure consistency and clarity by adding “milk,” “milk products” and “manufactured” dairy products throughout.

Proposed amendments to § 59a.315 (relating to storage of finished product)

The Department proposes to amend § 59a.315, to ensure consistency and clarity by adding “milk,” “milk products” and “manufactured” dairy products throughout and amending the structure of the sentence for ease of reading and clarity.

Proposed amendments to § 59a.317 (relating to Federal Food Safety regulations)

The Department proposes to add § 59a.317. The purpose of the proposed amendment is to add clarity for the

regulated community related to applicable statutory and regulatory standards. The Food Safety Act requires the Department to adopt all Federal regulations related to food. This proposed section sets forth those regulatory requirements.

Proposed amendments to § 59a.348 (relating to operations and operating procedures: packaging, repackaging and storage)

The Department proposes the following amendments to § 59a.348:

1. The Department proposes to amend this section by adding “manufactured” dairy products to subsection (a).
2. The Department proposes to correct the wording of subsection (b) to reference “palletizing” not “palleting.”
3. The Department proposes to correct subsection (d)(1) by deleting the reference to “milk” products. It now refers to all packaged dry products.

Proposed amendments to § 59a.350 (relating to operations and operating procedures: checking quality)

The Department proposes to amend this section by adding the term “milk products” to ensure dried milk products, such as dried ice cream mix, are included in the products regulated under this section. In addition, the Department replaces “and” with “to include” related to dry milk products because those products are part of milk or manufactured dairy products and the “and” made it sound like it was a separate product to be regulated.

Proposed amendments to § 59a.351 (relating to operations and operating procedures: requirements for instant non-fat dry milk)

The Department proposes to amend subsection (a) by adding language allowing other laboratories that are compliant with § 59a.5 to sample and test nonfat dry milk samples. This proposed compliant laboratory standard is proposed to be added throughout this proposed rulemaking and expands the scope while still requiring the same high standards of laboratories sanctioned to test milk samples.

Proposed amendments to § 59a.363 (relating to operations and operating procedures)

The Department proposes to amend § 59a.363 by adding language exempting cream used for the production of raw milk butter from the pasteurization standards, established in subsection (a)(1)(i), for the production of butter since pasteurization standards do not apply to raw milk.

Proposed amendments to § 59a.371 (relating to rooms and compartments)

The Department proposes to amend § 59a.371 by deleting the random text at the end of subsection (c).

Proposed amendments to § 59a.372 (relating to equipment and utensils)

The Department proposes to amend § 59a.372 by adding subsections (m)—(p), which establish construction and cleaning standards for conveyors, grinders and shredders, cookers and fillers used in the manufacturing of cheese and related products. These standards are already included in the current regulation in § 59a.381(b)—(e) (relating to equipment and utensils). The standards are being deleted from § 59a.381(b)—(e) and added to § 59a.372(m)—(p) because the purpose and regulatory requirements of the subchapter are proposed to be amended from addressing pasteurized processed cheese to addressing milk products, to include ice cream, frozen desserts and related products. In addition, currently

§ 59a.372(a) states, “[g]eneral construction, repair and installation. Equipment and utensils necessary to the manufacture of cheese and related products must meet the requirements of § 59a.304 (relating to equipment and utensils). In addition, for other equipment the following requirements in this section shall be met.” Therefore, the additions are intended to provide standards for other equipment and utensils that are utilized in the manufacture of cheese that currently are not covered or set forth in § 59a.372. This is to help to guarantee public safety by establishing standards for all equipment and utensils utilized and guaranteeing they can be properly cleaned and sanitized, just as the equipment and utensils were covered previously under § 59a.381.

Proposed amendments to § 59a.373 (relating to operations and operating procedures)

The Department proposes the following amendments to § 59a.373:

1. The Department proposes to amend subsection (a)(1) by deleting the reference to specific temperature and time standards and replacing it with language referencing the pasteurization standards established in § 59a.7.
2. The Department proposes to amend subsection (a)(2) by deleting the reference to HTST pasteurization units and instead broadly referring to any type of pasteurization unit since there are multiple types of pasteurization units and all must be properly equipped to ensure pasteurization.
3. The Department proposes to amend subsection (b) by breaking it into separate paragraphs for clarity and regulatory purposes and adding paragraph (3) creating standards for the labeling of “raw aged” cheese.
4. The Department proposes to add subsections (c.1), (c.2) and (d.1), creating standards for forming containers, filling containers and trimming and cleaning cheese. The addition of subsection (c.1), regarding forming containers, is proposed to be added for clarity and to address sanitation in the handling and storage of these containers. The addition of subsection (c.2), regarding filling containers, is proposed to be added for clarity and to address sanitation and proper weight controls during the filling of the containers, and the addition of subsection (d.1), regarding trimming and cleaning, is proposed to be added for clarity and to address sanitation and cleaning of natural cheese.
5. The Department proposes to amend subsection (e), regarding general identification, by adding language requiring each consumer-sized container of cheese to include the wording “raw milk,” “made with raw milk” or similar identifying language and add the number of days the cheese was aged to the labeling requirements.

Proposed amendments to § 59a.381

The Department proposes the following amendments to § 59a.381:

1. The standards for “Supplemental Requirements For Plants Manufacturing and Packaging Cheese” are addressed in §§ 59a.371—59a.373. The Department has chosen to amend the undesignated heading of this subchapter to include milk products and no longer addresses pasteurized processed cheese. The undesignated heading is proposed to be amended to “SUPPLEMENTAL REQUIREMENTS FOR PLANTS MANUFACTURING, PROCESSING AND PACKAGING MILK PRODUCTS, TO INCLUDE ICE CREAM, FROZEN DESSERTS AND RELATED PRODUCTS.” The Department proposes to delete the reference to “cheese” in subsection (a) and add

a reference to “milk.” Section 59a.381 already references § 59a.304, which is the proper section of the regulations concerning standards for equipment and utensils used for milk and manufacture of dairy products.

2. The Department proposes to delete subsections (b)—(e) regarding specific construction and cleaning requirements for conveyors, grinders or shredders, cooker and fillers utilized for handling and processing “milk” products, as those standards are already addressed in § 59a.304, which relates to equipment and utensils utilized for milk and manufacture of dairy products.

Proposed amendments to § 59a.382 (relating to operations and operating procedures)

The Department proposes the following changes to § 59a.382:

1. The Department proposes to delete subsections (a)—(d), as they reference standards for cheese, which are covered earlier in the regulations, so these provisions are redundant. In addition, they no longer apply since this section now covers milk products.

2. The Department proposes to add subsections (d.1), (d.2), (d.3), (f), (g) and (h) establishing standards for milk products regarding pasteurization of milk products, purchase of pasteurized mixes for production of milk products, filling containers, freezer storage, sampling and inspections.

3. The Department proposes to keep subsection (e) regarding closing and sealing containers, as its provisions may be applied to milk products.

Proposed amendments to § 59a.401 (relating to raw milk; general)

The Department proposes to amend § 59a.401 by adding “raw milk butter” to the permitting, testing and inspection requirements as new provisions related to raw milk butter are proposed to be established later in Subchapter F (relating to raw milk for human consumption).

Proposed amendments to § 59a.402 (relating to raw milk; prohibitions)

The Department proposes the following amendments to § 59a.402:

1. The Department proposes to add language to subsection (a) clarifying that the term “sell” applies to selling, exchanging or delivering to consumers that are members of a “buyer’s club,” cow share herd agreement or other type of membership purchasing group. These types of groups and entities have arisen since the passage of the current regulation and need to be addressed to add clarity.

2. The Department proposes to amend subsection (b) by breaking a long paragraph down into separate paragraphs of regulatory areas covered and add clarifying language related to the actions authorized by a raw milk permit. The Department also proposes to delete the provisions related to obtaining an additional raw milk permit for cheese and related cheese products. Raw milk aged cheeses are addressed under § 59a.373 and are allowed under the provisions in 21 CFR Part 133 (relating to cheeses and related cheese products) to be manufactured and sold in interstate commerce if the cheese has been aged at least 60 days. Therefore, the sale of raw milk aged cheeses is not unique to producers in this Commonwealth. However, cheese manufacturers are still required to hold a milk permit under 21 CFR Part 133, Subpart B (relating to requirements for specific standard-

ized cheese and related products), because they are producing a manufactured dairy product but would not be required to hold a special raw milk permit.

3. The Department proposes to establish a new provision in subsection (b)(2) to allow a raw milk permitholder to obtain an additional permit authorizing the production and sale of raw milk butter manufactured from raw milk and setting standards for the manufacturing, processing, packaging, storage and equipment and utensils used and operating procedures applicable to raw milk butter.

4. The Department proposes to add the term “raw milk butter” to subsection (c), regarding compliance with testing and documentation requirements, to ensure compliance with those standards.

Proposed amendments to § 59a.404 (relating to requirements for the issuance of a raw milk permit)

The Department proposes to amend § 59a.404(e)(1)(ii) by clarifying the submission, testing and analyzing process for new raw milk permit applicants and deleting “or the Department for analysis” since the new language provides the type of laboratories that may be used.

Proposed amendments to § 59a.405 (relating to sanitation)

The Department proposes a minor formatting change to § 59a.405.

Proposed amendments to § 59a.408 (relating to regular testing of raw milk and raw milk butter for human consumption)

The Department proposes the following amendments to § 59a.408:

1. The Department proposes to amend the title of this section to clarify it includes standards for raw milk butter.

2. The Department proposes to amend subsection (a) by adding the term “raw milk butter.”

3. The Department proposes to amend subsection (b) by adding the term “raw milk butter” and adding the standards for analysis set forth in § 59a.5.

4. The Department proposes to make minor changes to the chart “Raw Milk Testing Schedule and Standards,” including adding “cfu” to “per milliliter” as the unit of measurement, throughout, reducing the somatic cell count to 500,000 per milliliter consistent with changes made throughout the regulation and adding “sheep” to the somatic cell count requirement for goats to be consistent with changes made throughout the rest of this proposed rulemaking. Reducing the somatic cell count is in the interest of the general public because it lowers the bacteria count and enhances the quality of the milk.

5. The Department proposes to add subsection (d), regarding raw milk butter testing schedule and standards, to set forth the Commonwealth regulatory requirements for testing intervals and bacterial coliform and yeast and mold standards per gram. The proposed standards are consistent with Federal CFR standards for butter from pasteurized milk.

Proposed amendments to § 59a.409 (relating to violations of raw milk testing standards)

The Department proposes the following changes to § 59a.409:

1. The Department proposes to amend subsection (d)(3) and (4) to reference § 59.5.

2. The Department proposes to amend subsection (d)(4) and (5) to provide language consistent with other provisions of the regulation requiring an empty tank between samples being taken.

3. The Department proposes to add subsection (e), regarding raw milk butter not meeting testing standards, for purposes of clarity and to provide a standard and procedure to be followed by the producer that has not met microbiological limits for the raw milk butter. This also helps to guarantee consumer health.

Proposed amendments to § 59a.411

The Department proposes the following amendments to § 59a.411:

1. The Department proposes to add raw milk butter labeling standards and requirements to this section.

2. The Department proposes to add a reference to what laboratories meet the testing standards of the regulations in § 59.5.

3. The Department proposes to add “best by” language to this section.

4. The Department proposes to amend subsection (a)(3)(i) by adding clauses (A) and (B) for ease of reading and clarity and adding clarifying language and standards regarding both a “sell by” and “best by” date.

5. Consistent with previous proposed amendments to § 59a.15, the Department proposes to amend subsection (a)(3)(iv) to require the permitholder to submit samples and have them tested in accordance with the standards established in § 59a.15 and at a laboratory meeting the requirements of § 59a.5. In addition, the Department proposes to delete the provision that requires it to take at least one raw milk sample from each permitholder each year. The language requiring periodic testing remains. The language that provides discretion to periodically take samples and have them tested addresses both raw milk and raw milk butter and establishes a standard and procedure that a permitholder must follow for re-sampling and retesting when a product fails to meet bacterial and coliform standards.

6. The Department proposes to add subsection (c) establishing specific label standards for raw milk butter.

Proposed amendments to § 59a.412 (relating to inspection, sampling and testing by the Department)

The Department proposes to amend § 59a.412 by adding raw milk butter to the inspection, sampling and testing standards of this section.

Proposed amendments to § 59a.413 (relating to enforcement: suspension or revocation of a raw milk or raw milk butter permit).

1. The Department proposes to amend § 59a.413 by adding raw milk butter standards to all provisions of this section and changing the title of this section to reflect that change.

2. The Department proposes to amend subsection (b)(2)(i) to address initial enforcement procedures when a raw milk permitholder or raw milk butter permitholder, or both, voluntarily complies with a request from the Department to cease sales. It establishes that the Department will consider this action as a mitigating factor in determining any penalty or sanction issues.

3. The Department proposes to amend subsection (b)(2)(ii) to establish the enforcement measures that the Department will follow when a raw milk permit holder or a raw milk butter permit holder, or both, does not choose

to comply with a request from the Department to voluntarily cease the sale of raw milk or raw milk butter, or both. It provides the regulated community with clarity related to potential Department enforcement actions.

4. The Department proposes to amend subsection (c) to make it clear to the regulated entity that the Department owns the raw milk permit or raw milk butter permit that was issued, and that the permit must be returned to the Department after the permitholder has been afforded written notice and opportunity for a hearing upon a proposed suspension or revocation of the raw milk permit or raw butter permit issued to the regulated entity. Where a suspension has been imposed, the Department will promptly return the raw milk permit, or raw milk butter permit, or both, to the permitholder at the end of the suspension period.

Proposed amendments to § 59a.501

The Department proposes to amend § 59a.501 by adding provisions and citations referencing 3 Pa.C.S. §§ 5701—5714 (relating to retail food facility safety) and the Food Safety Act and their applicable regulations.

Persons Likely to be Affected

The number of people directly involved with this Commonwealth’s dairy industry is difficult to quantify, but the following provides an estimate: Businesses include approximately 8,500 dairy farms that produce milk within this Commonwealth, approximately 35 Grade “A” milk processing plants, approximately 150 Grade “A” BTUs (permitted farm groups), approximately 120 permitted raw milk facilities, approximately 125 dairy manufacturing (non-Grade “A”) facilities, 35 Interstate Milk Shippers Program-certified laboratory facilities, 120 drug residue testing facilities, 32 manufacturers of single service containers and closures and 100 milk hauling companies. Individuals include approximately 1,500 approved milk samplers/weighers, 100 approved farm inspectors, 70 approved dairy laboratory directors and 750 certified laboratory analysts.

Fiscal Impact

Commonwealth

This proposed rulemaking would have some minor positive fiscal impact upon the Commonwealth. However, for the most part, the proposed changes to the regulations are to provide consistency with the Federal standards and clarity. This proposed rulemaking will enhance public health and safety, maintain modern state-of-the-science milk sanitation standards in this Commonwealth and provide clarity to the dairy industry where ambiguity exists. The proposed regulatory amendments will not substantially affect the ongoing business practices or regulatory standards of the industry.

Political subdivisions

This proposed rulemaking would not have any appreciable fiscal impact on political subdivisions.

Private sector

This proposed rulemaking would have some appreciable fiscal impact on the private sector. This Commonwealth’s 800-plus milk permit holders will benefit from the regulation, as well as the 35 approved dairy laboratories. Other businesses will also benefit through the increased availability of desired dairy products. This proposed rulemaking will provide for further economic opportunities for the regulated industry by providing a path for extending shelf life dating on pasteurized milk and allowing for production of raw milk butter. Approved dairy testing

laboratories will benefit from increased revenue from shelf-life testing requirements and elimination of laboratory director exam requirements.

General public

This proposed rulemaking will benefit nearly all Commonwealth residents, since the majority of this Commonwealth's 12.8 million citizens are consumers of milk and dairy products, by protecting the public health, while expanding the availability of milk and raw milk products available to the consumer. This proposed rulemaking will enhance public health and safety by maintaining modern state-of-the-science milk sanitation standards in this Commonwealth.

Paperwork Requirements

This proposed rulemaking will not add to paperwork requirements for the regulated community. The various documents that comprise licensing and label applications and review will remain constant, with perhaps slight changes such as allowing for raw milk butter production. This proposed rulemaking does not add to those documents.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 28, 2024, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the standing committee on Agriculture and Rural Affairs of the Senate and to the chairperson of the standing committee on Agriculture and Rural Affairs of the House of Representatives. 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 must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Stefanie Smith, Chief, Division of Policy and Programs, Bureau of Food Safety and Laboratory Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-5108, within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions regarding this proposed rulemaking is Sheri Morris, Assistant Director, Bureau of Food Safety and Laboratory Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-5289.

RUSSELL C. REDDING,
Secretary

Fiscal Note: 2-194. No fiscal impact; recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART III. BUREAU OF FOOD SAFETY AND LABORATORY SERVICES

Subpart B. LIQUID FOODS

CHAPTER 59a. MILK SANITATION

Subchapter A. PRELIMINARY PROVISIONS

§ 59a.2. Definitions.

(a) *Terms.* The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Adulterated—As defined in section 5728 of the Food Safety Act (relating to adulteration of food).

[*Approved inspector*—A person who has been licensed by the Department in accordance with § 59a.4 (relating to approved inspectors) to perform dairy farm inspections required under this chapter in a capable and efficient manner.]

Approved sampler—A person certified by the Department to obtain samples of milk or milk products for analysis by a Pennsylvania-approved dairy laboratory. **This includes dairy plant samplers and industry plant samplers as defined in the PMO.**

BTU—[*Bulk*] *bulk tank unit*—A specified **dairy farm or** group of dairy farms from which milk for pasteurization or for manufacturing purposes is collected by a milk tank truck.

* * * * *

Certified industry inspector—An approved inspector who has been licensed by the Department in accordance with § 59a.4(h) **and (i)** to inspect dairy farms on which milk is produced for an interstate milk shipper. [**A certified industry inspector is the equivalent of a “designated inspector,” for purposes of conducting certified inspections described in the Grade “A” PMO.**]

* * * * *

Grade “A” PMO or PMO—The most current revision of the Grade “A” Pasteurized Milk Ordinance and its appendices, as published by the **United States Department of Health and Human Services, Public Health Service and the FDA. The Grade “A” Pasteurized Milk Ordinance is a set of minimum standards and requirements for Grade A milk production and processing, established by the FDA.** The Department maintains a link to an electronic copy of this document on its web site at [**www.agriculture.state.pa.us**] **www.agriculture.pa.gov.**

* * * * *

HTST—High temperature short [**term**] **time.**

Herd—A group of animals or a single animal maintained for purposes related to this chapter.

ISO/IEC 17025—The 2017 edition of the standard owned by the International Standards Organization entitled **General Requirements for the Competence of Testing and Calibration Laboratories. Copies of the standard can be found at www.iso.org.**

Manufactured dairy products—Butter, cheese (natural or processed), dry whole milk, nonfat dry milk, dry

buttermilk, dry whey, evaporated milk (whole or skim), condensed whole and condensed skim (plain or sweetened), and other products for human consumption, as may be designated by the Secretary [**including:**

- (i) **Instant nonfat dry milk and other dry milk products.**
- (ii) **Pasteurized process cheese and related products.**
- (iii) **Sterilized milk products.**
- (iv) **Butter-related products.**
- (v) **Other products that must be produced at plants in accordance with supplemental requirements established under Subchapter E (relating to manufacturing plants)] .**

* * * * *

Milk products—Ice cream, ice cream mix, custard ice cream, french ice cream, frozen custard, and other similar frozen products, and all dairy products used in the manufacture thereof. [**The term includes those foods that are milk products under the Grade “A” PMO.]**

* * * * *

Official laboratory—A biological, chemical or physical laboratory which is under the direct supervision of the Department. The term includes a dairy laboratory controlled and operated by the Department, a dairy laboratory that performs dairy testing and analysis under contract with the Department and a dairy laboratory at which Department personnel perform dairy testing and analysis.

Pasteurization—The process of heating every particle of milk, milk product or the milk used for manufactured dairy product, in properly designed and operated equipment, to one of the temperatures set forth in § 59a.7 (relating to pasteurization standards) and held continuously at or above that temperature for at least the corresponding specified time.

Pasteurized—Milk, milk products or the milk used for manufactured dairy products that has undergone pasteurization.

Pennsylvania-approved dairy laboratory—

- (i) A commercial or regulatory laboratory approved and certified by the Department within the preceding 2 years to do official analyses of milk and milk products.
- (ii) A milk industry laboratory approved and certified by the Department within the preceding 2 years for the examination of producer samples of milk for pasteurization, commingled milk for pasteurization or of raw milk for human consumption for the detection of drug residues, bacterial limits and somatic cell count.

* * * * *

Raw milk—Milk that is not pasteurized and may be sold to consumers without further treatment or processing, provided that it conforms to Subchapter F (relating to raw milk for human consumption).

Raw milk butter—Butter made from raw milk, provided it conforms to Subchapter F.

Retail food facility—As defined in 3 Pa.C.S. § 5702 (relating to definitions) of the Retail Food Facility Safety Act.

Secretary—The Secretary of the Department, or an authorized representative.

* * * * *

Weigher/sampler—A bulk milk pick-up driver [**or a milk plant person**], **certified industry inspector, approved inspector or other authorized designee** certified by the Department [**or the Pennsylvania Milk Marketing Board**] **or other Department-approved certifying body** to take official samples of producers’ milk for chemical, antibiotic, somatic cell and bacteriological analyses.

(b) *Additional terms used in this chapter and defined in the Grade “A” PMO.* Any word or term used in this chapter and not otherwise defined in subsection (a) has the meaning ascribed to it in the Grade “A” PMO.

(c) *Additional terms used in the Grade “A” PMO.* Any applicable word or term used in the Grade “A” PMO has the meaning ascribed to it in the Grade “A” PMO, with the exception of all of the following:

- (1) **The** term “regulatory agency,” which means the Department.
- (2) **The term “milk products,” which means both “milk” and “manufactured dairy products” as defined in this chapter.**

§ 59a.3. Contacting the Department.

For purposes of this chapter, the Department may be contacted as follows:

- (1) By mail, at the following address:
 Pennsylvania Department of Agriculture
 Bureau of Food Safety and Laboratory Services
 ATTN: [**Division of Milk Sanitation**] **Milk Program**
 2301 North Cameron Street
 Harrisburg, PA 17110-9408
- (2) By telephone, as follows: (717) 787-4315
- (3) Through the following web site: [**www.agriculture.state.pa.us**] **www.agriculture.pa.gov/consumer_protection/foodsafety.**

§ 59a.4. Approved inspectors and certified industry inspectors.

* * * * *

(b) *Criteria for approval.* An applicant shall meet the following criteria to be eligible for licensure as an approved inspector:

- (1) The applicant shall be [**21**] **18** years of age or older.

* * * * *

(3) The applicant shall have at least 2 years of academic training or experience in the area of milk production and milk sanitation. The Department [**may**] **will** verify that an applicant has adequate experience by having **a** Department [**personnel conduct one or more**] **evaluator conduct five** joint dairy farm inspections with the applicant.

* * * * *

(e) *Education requirement.* The Department will convene an approved inspector educational seminar on at least two separate dates each calendar year, and provide

current approved inspectors written notice of the dates, times and locations of these seminars. As described in [subsections (b) and] subsection (d), attendance at an educational seminar is a requisite to the Department issuing or renewing a license.

* * * * *

(g) *Refusal, revocation or suspension of [certificate] license.* The Department may, upon written notice and opportunity for a hearing, refuse, revoke or suspend a license for [cause] a violation of the act or this chapter.

(h) *Certified industry inspectors.* The Department may designate on the license of an approved inspector that the approved inspector is a certified industry inspector who may, in addition to conducting the inspection activities of an approved inspector, inspect dairy farms on which milk is produced for an interstate milk shipper under the NCIMS Interstate Milk Shippers Program and the Grade "A" PMO.

(i) Certification process. A person seeking to become a certified industry inspector must be a licensed approved inspector. To become and remain a certified industry inspector, a person must meet the standards established in section 5 of the Grade "A" PMO (relating to inspection of dairy farms and milk plants). These standards include the following for initial certification and recertification:

(1) Initial certification. For initial certification, a person shall conduct 25 joint dairy farm inspections with a Department evaluator and achieve a passing score of 80% agreement with the same inspection completed by the Department's evaluator.

(2) Renewal certification. For recertification, a certified industry inspector shall conduct ten joint dairy farm inspections, over a period of 3 years, with a Department evaluator and achieve a passing score of 80% agreement with the same inspection completed by the Department's evaluator.

§ 59a.5. Standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results.

(a) *General laboratory standards.*

(1) Pennsylvania-approved, official and other laboratories. A Pennsylvania-approved dairy laboratory, an official laboratory or another laboratory that conducts sampling or laboratory examinations for purposes of this chapter shall conform that sampling or testing to the applicable standards and procedures set forth in the *Standard Methods for the Examination of Dairy Products* or the current edition of the *Official Methods of Analysis of the Association of Official Analytical Chemists found at AOAC.org*. Procedures, including laboratory examination procedures and the certification of sample collectors, shall be evaluated in accordance with the current *Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration* and the Grade "A" PMO and operate in accordance with current FDA 2400 Laboratory Series forms.

(2) Laboratories. Each laboratory that conducts sampling or laboratory examinations for purposes of this chapter shall be listed with NCIMS.

(3) Pathogen testing laboratories. For pathogen-specific testing required by this chapter, laboratories shall have received accreditation to the ISO/

IEC 17025 standard, found at ISO.org, from a National third-party laboratory accrediting body to analyze food products. The accreditation body of the laboratory must be a full member of the International Laboratory Accreditation Cooperation (ILAC) and a signatory to the ILAC mutual recognition arrangement.

(4) Alternate laboratory methods. The Department may evaluate and approve alternative laboratory sampling or testing standards and procedures concerning bacteriological analysis of milk, milk products and manufactured dairy products as necessary and shall publish these approved methods in the Pennsylvania Bulletin.

(b) [Reports of results] Laboratory reports.

(1) Pennsylvania-approved laboratories. If a Pennsylvania-approved dairy laboratory issues a report of the results of laboratory examinations for purposes of this chapter, the report shall be signed by a Pennsylvania-approved dairy laboratory director or a person designated by a laboratory director to sign these reports. If an official laboratory issues a report of the results of laboratory examinations for purposes of this chapter, the report shall be signed by the laboratory director, a person designated by the laboratory director, the person who performed the tests described in the report or the Director of the Department's Bureau of Food Safety and Laboratory Services.

(2) Other laboratories. If another laboratory issues a report of the results of laboratory examinations for the purposes of this chapter, the report shall be signed by the laboratory director, the person designated by the laboratory director or as otherwise specified under the laboratory's ISO/IEC 17025 standard accreditation documents.

(3) Report timetable. Reports shall be provided to the Department within the time periods established in the NCIMS Grade "A" program, or within 30 days of test completion. Laboratories shall report results that are noncompliant under the standards established in the PMO or this chapter within 48 hours. The Department, through publication in the Pennsylvania Bulletin, may specify the format in which laboratories must submit test results.

(c) *Pennsylvania-approved dairy laboratory director.*

* * * * *

(3) The Department will provisionally certify a dairy laboratory director to be a Pennsylvania-approved dairy laboratory director with respect to one or more specific categories of testing procedures if the applicant meets the qualification standards in paragraph (2), submits an application and [does the following:

(i) Completes a Department-administered written examination and attains a score of at least 80%. The examination must have the following parts:

(A) A general section addressing sampling and culturing procedures.

(B) A section addressing the specific categories of dairy testing procedures with respect to which the applicant seeks certification.

(ii) Passes] passes an onsite performance and facilities evaluation by a laboratory evaluation officer from the Department in accordance with the current Evaluation of Milk Laboratories, Recommendations

of the United States Public Health Service/Food and Drug Administration and the Grade “A” PMO.

(4) After the provisional certification in paragraph (3), the Department will certify a dairy laboratory director to be a Pennsylvania-approved dairy laboratory director with respect to one or more specific categories of testing procedures if the provisionally-certified person submits a split sample to the Department for analysis, retains and analyzes the other portion of the split sample, and the results of analysis are consistent between the Department and the provisionally-certified person.

(5) A certified Pennsylvania-approved dairy laboratory director shall continue to participate in the Department-conducted milk split sample proficiency program, and performance shall be satisfactory.

(6) A certified Pennsylvania-approved dairy laboratory director shall perform their functions and shall operate a Pennsylvania-approved laboratory in compliance with the standards of the act and this chapter.

(7) A certified Pennsylvania-approved dairy laboratory director shall ensure recorded laboratory test results are accurate and in compliance with the act and this chapter.

(8) Falsification of required records shall be a violation of this chapter.

(d) Refusal, revocation or suspension of approval or certification. The Department may, upon written notice and opportunity for a hearing, refuse, revoke or suspend a Pennsylvania-approved dairy laboratory approval or a Pennsylvania-approved laboratory director certification for any violation of the act or this chapter.

(Editor’s Note: Sections 59a.6 and 59a.7 are proposed to be added and are printed in regular type to enhance readability.)

§ 59a.6. Approved sampler and weigher/sampler.

(a) *Application for approved sampler.* A person may apply to the Department to be certified as an approved sampler for purposes of the act and this chapter. The Department will provide certification application forms and the certification renewal forms described in subsection (e) upon receiving a request sent to the address or web site identified in § 59a.3 (relating to contacting the Department).

(b) *Application for weigher/sampler.* A person may apply to the Department to be certified as a weigher/sampler for purposes of the act and this chapter. The Department will provide certification application forms and the certification renewal forms described in subsection (e) upon receiving a request sent to the address or web site identified in § 59a.3.

(c) *Criteria for approval.*

(1) An applicant for certification under subsection (a) or subsection (b) must have training and experience in the area of sampling milk, milk products and manufactured dairy products, such as experience on a dairy farm, taking the Pennsylvania Milk Board’s Power Point training, working with a milk cooperative or dairy processor or other dairy or weighing and sampling experience, and shall pass a field test, administered by the Department, or other Department-approved certifying body, verifying appropriate sampling technique. At least one passing inspection score must be obtained.

(2) An applicant for a weigher/sampler certification must also have training and experience in weighing milk and shall complete a Department or Pennsylvania Milk Board administered written examination and achieve a final score of at least 70%.

(3) The Department may modify criteria for approval to be consistent with provisions of the Grade “A” PMO, in particular Appendix B (relating to milk sampling, hauling and transportation), which specifies the required training and periodic evaluation of samplers and weighers/samplers.

(d) *Certificate.* The Department will issue a certificate, verifying certification in the appropriate field, to any applicant meeting the standards established in subsection (c).

(e) *Duration of certificate; renewal.* A certificate shall expire as of January 1 of each calendar year. Applicants shall do the following:

(1) Apply or reapply by December 31 of the calendar year preceding the year for which certification is requested.

(2) Provide documentation verifying compliance with the continuing education training requirements established in subsection (f)(1).

(f) *Continuing education and recertification requirements.*

(1) As a prerequisite to renewal of certification under subsection (e), the applicant shall attend a Department or Department-approved continuing education training for approved samplers and weigher/samplers that meets the training requirements established in Appendix B of the Grade “A” PMO during the period of certification.

(2) Applicants are required to demonstrate proper sampling techniques every 24 months to the Department as referenced in Appendix B of the Grade “A” PMO.

(g) *Refusal, revocation or suspension of certificate.* The Department may, upon written notice and opportunity for a hearing, refuse, revoke or suspend a certificate for any violation of the act or this chapter.

§ 59a.7. Pasteurization standards.

To be considered pasteurized, every particle of milk, milk product or manufactured dairy product must be heated in properly designed and operated equipment to the applicable temperature and maintained at that temperature for the corresponding specified time, as set forth under the definition of “pasteurization” in section 1 of the Grade “A” PMO (relating to definitions).

Subchapter B. PERMIT REQUIREMENTS

§ 59a.12. Permits.

* * * * *

(b) *Exceptions.* The permit requirement of subsection (a) does not apply to the following:

(1) A person selling or delivering milk directly from a dairy farm to a milk plant.

(2) A dairy farm producing and selling milk for pasteurization or milk for manufacturing.

(3) A person selling milk, milk products or manufactured dairy products from a [store,] **retail food facility, or any other facility where these products are to be consumed on-premises** when the [milk or milk] products have been purchased from a person

already in possession of a permit to sell milk [or], milk products or manufactured dairy products.

(4) [A hotel, restaurant, soda fountain, boarding house or other place where milk, milk products or manufactured dairy products are to be consumed on-premises, and have been purchased from a person already in possession of a permit to sell milk or milk products] [Reserved].

(5) A person producing and selling milk from a single cow[, and exempted from the permit requirement in accordance with the act]. The registration shall be renewed every 2 years.

* * * * *

(j) Reference to applicable provisions of the Grade “A” PMO. The provisions of the Grade “A” PMO, in particular section 3[, regarding permits] (relating to permits), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO). Section 3 of the Grade “A” PMO establishes that to move, including to manufacture, bring into, send into, receive into, sell, offer for sale or store, milk products, as defined in section 1 of the Grade “A” PMO (relating to definitions), in interstate commerce a person must possess a permit issued by the appropriate State regulatory agency. The Department will issue a permit upon verifying the person is a Grade A facility regulated by the appropriate State regulatory agency, and receipt of a copy of their most recent inspection report evidencing compliance.

§ 59a.13. Adulterated or misbranded milk, milk products or manufactured dairy products.

* * * * *

(c) Reference to applicable provisions of the Grade “A” PMO. The provisions of the Grade “A” PMO, in particular section 2[, regarding adulterated or misbranded milk or milk products] (relating to adulterated or misbranded milk and/or milk products), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.14. Labeling: Bottles, containers and packages of milk, milk products or manufactured dairy products.

(a) [Department approval required. A permit-holder shall, before using a milk, milk product or manufactured dairy product label in commerce, apply for and obtain the approval of the Department for the use of that label. Labels in commercial use as of May 21, 2011, shall have until November 21, 2011, to come into compliance with this registration requirement] [Reserved].

(b) [Approval process.

(1) A permitholder seeking the Department’s approval of a milk, milk product or manufactured dairy product label shall apply to the Department at the address, provided in § 59a.3 (relating to contacting the Department). The applicant may use an application form that the Department will provide upon request, or may apply by letter requesting label approval. The application must include clear, accurate copies of all labels for which approval is sought.

(2) The Department will approve the use of a milk, milk product or manufactured dairy product

label if it meets the requirements of the act and this chapter, including the specific requirements of this section.

(3) The Department will, within 10 business days of receiving a complete application, mail the applicant its written approval or denial of the application.

(i) If the application is denied, the written denial will set forth the basis for denial, and afford the applicant notice and opportunity for an administrative hearing on the denial.

(ii) If the application is granted, the written approval will contain a copy of the label and assign a unique serial number to each label approved under the application. The Department will retain copies of these approvals] [Reserved].

(c) [Changes of approved labels. If a label is approved under this section, colors and graphics may be changed without requiring reapproval of the label. If the text, type size or wording is to be changed, the label shall be submitted to the Department for approval in accordance with subsection (b)] [Reserved].

(d) Label requirements. Bottles, containers and packages enclosing milk, milk products or manufactured dairy products offered for sale shall be labeled. The label [shall be approved by the Department in accordance with] must comply with the labeling provisions of the act, the Food Safety Act, 3 Pa.C.S. §§ 5741—5747 (relating to milk sell-by date and best-by date labeling), the Federal Fair Packaging and Labeling Act (15 U.S.C. §§ 1451—1461) and this section, and contain at minimum the following information:

(1) The common or standardized name of the food.

(2) The net quantity of contents, which shall be in accordance with the standards provided in 21 CFR 101.7 (relating to declaration of net quantity of contents) and 16 CFR Parts 500—503.

(3) The common name of the hooved mammal producing the milk preceding the name of the milk [or], milk product[,] or manufactured dairy product if the milk [or], milk product or manufactured dairy product is or is made from milk other than cow’s milk.

(4) The words “keep refrigerated after opening,” if the milk [or], milk product or manufactured dairy product is aseptically processed.

(5) The words “keep refrigerated,” if the [milk or PMO-defined milk product] milk, milk product or manufactured dairy product is conventionally pasteurized or UHT pasteurized.

(6) The words “Grade ‘A’” on the exterior surface, except for bottles, containers and packages of milk [and], milk products or manufactured dairy products that are not eligible for certification as Grade “A” or that are eligible for certification but are not currently certified. Type size may not be larger than letters in the basic product name.

(7) The identity of the milk plant where pasteurized, ultrapasteurized, aseptically processed, condensed or dried. When the name and address of a distributor appears in lieu of that of the processor, words such as

“Mfg. for,” “Dist. by” or “Packed for” must also appear on the label. **[Milk or milk products] Milk, milk products or manufactured dairy products** showing a general address, or the name and address of a distributor shall be further labeled to identify the processing plant by assigned numerical code or the plant name and address.

(8) The identity of the plant where processed.

(9) The word “reconstituted” or “recombined,” immediately preceding or immediately following the name of the product, in type at least half the size of name of the product which has been reconstituted, if the **milk, milk product or manufactured dairy product** is made by reconstitution or recombination.

(10) The volume or proportion of water, **in both standard and metric units**, to be added for reconstitution or recombination, if the milk **[or],** milk product **or manufactured dairy product** is concentrated **[milk or milk product]**.

(11) In descending order of predominance, a listing of additives, such as flavors, sweeteners, milk solids, lactose, stabilizers, emulsifiers, vitamins and minerals if used.

(12) The quantity or percentage of United States Recommended Daily Allowance (U.S. RDA) per serving, if vitamins, minerals or milk solids have been added to the milk **[or],** milk product **or manufactured dairy product**.

(13) The word “pasteurized,” in type at least one-fourth the height of the letters in the basic product name, if the milk **[or],** milk product **or manufactured dairy product** has been pasteurized. If desired, letters used in modifying terms and “pasteurized” may be the same size, but never larger than the product name. Printing must be readily legible.

(14) The word “homogenized,” if the milk **[or],** milk product **or manufactured dairy product** has been homogenized.

(15) The words “protein fortified” immediately preceding or immediately following the name of the product which has been fortified, in type at least half the size of name of the product which has been fortified, if the milk **[or],** milk product **or manufactured dairy product** is a protein fortified dairy product. The label must include the percentage of milk solids not fat added or the percentage of U.S. RDA of protein, vitamins and minerals per serving on the information panel of the container.

(16) The words “artificially colored,” if an artificial color is used for a flavored milk other than chocolate.

(17) The words “artificially (name of flavor imitated) flavored milk” in type at least half the size of the name of the product imitated, if an artificial flavor is used for artificially flavored milk.

(18) If the milk **[or],** milk product **or manufactured dairy product** has been cultured or acidulated after pasteurization it may, at the applicant’s option, be labeled “made from pasteurized dairy products.”

(19) If a milk product **or manufactured dairy product** contains an “artificial dairy product” as defined in § 57.1 (relating to definitions) as an ingredient which replaces portions of basic compositional ingredients in the milk product **or manufactured dairy product**, the phrase “contains artificial _____,” with the blank filled in with names of the basic compositional ingredients being simulated, immediately following the name of the food.

(20) **[Any sell-by] The sell by date, best by date or other** information required under § 59a.15 (relating to labeling; milk dating).

(e) *Exception.* The label requirements prescribed under this section do not apply to milk tank trucks and storage tanks, which are addressed in § 59a.16 (relating to markings, sealing **[and],** documentation **and inspection requirements** for vehicles containing milk **[and],** milk products **[],** or to raw milk for human consumption, which is addressed in § 59a.411 (relating to label content review by the Department) **[or manufactured dairy products)**. In addition, these requirements do not apply to cans of raw milk from individual dairy farms, which must be identified by name or number of the producer.

(f) *False or misleading material.* False or misleading marks, words or endorsements upon the label are prohibited. In determining whether labeling is false or misleading, the Department will take into account not only the specific representations made on the label but also the extent to which the labeling fails to reveal facts that are material in light of **[such] these** representations. The Department may issue guidance documents addressing false or misleading label statements or any other aspect of labeling under this section. Registered trade designs or terms may be permitted on the container cap or label provided they are not misleading and do not obscure the required labeling.

(1) Labels containing claims, such as A2A2, organic, kosher, grass-fed and other marks, words or endorsements placed on the label, shall have documentation to support the claims. This documentation shall be provided to the Department upon request.

(2) Proof of certification issued by a National or third-party accreditation or certification process shall be maintained by the permittee and support the marks, words or endorsements used on the label. This proof of certification shall be provided to the Department upon request.

(g) *Reference to applicable provisions of the Grade “A” PMO.* The provisions of the Grade “A” PMO, in particular section 4 **[, regarding labeling] (relating to labeling)**, apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.15. Labeling: Milk dating.

(a) *Label requirement.* The cap or nonglass container of pasteurized milk held in **a retail food facility, to include** retail food stores, restaurants, schools **[or similar food facilities], farmers markets, and roadside stands**, for resale shall be conspicuously and legibly marked in a contrasting color with the designation of the **[“sell-by” date—] “sell by” or “best by” date.**

(1) Sell by date. A “sell by” date shall consist of a **designation** of the month and day of the month after which the product may not be sold or offered for sale **[.** The designation may be numerical—such as “8-15”— **], whether expressed in standard fashion (such as “August 15”), numerically (such as “8-15”)** or with the use of an abbreviation **[for the month, such as “AUG 15 or AU 15.”** The words “Sell by” or “Not to be sold after” must precede the designation of the date, or the statement “Not to be sold after the date stamped above” must appear legibly on the container. This designation of the date may not

exceed 17 days beginning after midnight on the day on which the milk was pasteurized.] (such as “AUG 15 or AU 15”) and either:

(i) The words “Sell by” or “Not to be sold after” preceding that designation and appearing legibly on the cap or nonglass container; or

(ii) The statement “Not to be sold after the date stamped above” following that designation and appearing legibly on the cap or nonglass container.

(2) *Best by date.* A “best by” date shall consist of designation of the month and the day of the month, in the same format as required in paragraph (1), established by the permitholder as a product quality guideline and the words “Best By,” “Best if Consumed By” or “Best if Used By” preceding that designation and appearing legibly on the cap or nonglass container.

(b) *Prominence of [sell-by] sell by or best by date on label.* The [sell-by] “Sell By” or “Best By” date shall be separate and distinct from any other number, letter or intervening material on the cap or nonglass container.

(b.1) *Sell by or best by date limitation.* A “Sell By” or “Best By” date may not exceed 17 days beginning after midnight on the day on which the milk was pasteurized, unless the Department approves a longer interval in accordance with the procedure set forth in subsection (f).

(c) *Prohibition.* Pasteurized milk may not be [sold or offered for sale if the milk is] sold or offered for sale after the [sell-by] sell by or best by date designated on the cap or nonglass container.

(d) *Exemption.* The following types of pasteurized [dairy products] milk are exempt from the requirements of this section, provided that the cap or nonglass container [of all pasteurized dairy products contains,] contains a lot number or manufacturing date code that is acceptable to the Department and can be used for product traceability in the marketplace.

(1) Ultrapasteurized [dairy products] milk.

(2) Cultured [dairy products] milk.

(3) Aseptically processed [dairy products] milk.

(4) [Dairy products that have] Milk that has undergone [higher heat shorter time] HTST pasteurization.

(5) Milk sold or offered for retail sale on the same premises at which it was processed.

(e) *Monitoring by the permitholder and the Department.*

(1) [The Department will periodically sample containers of pasteurized milk in the possession of the processor or distributor. This sampling may occur at any time before the pasteurized milk is delivered to the store or the customer. The Department will sample at least one milk product from each processor each calendar year.] *Permitholder samples.* Permitholders shall sample and submit milk for testing in accordance with paragraph (2), and as often as follows:

(i) *Permitholders using sell by or best by dates of 17 days or less.* If the permitholder labels milk with a sell by or best by date that is no later than 17 days beginning after midnight on the day on

which the milk was pasteurized, the permitholder shall, at intervals of no greater than 12 months and for the highest-selling volume of milk type, and each type and volume of container of that highest-selling volume of milk type bearing that label information, sample and test in accordance with paragraph (2).

(ii) *Permitholders using sell by or best by dates of greater than 17 days.* If the permitholder labels milk with a sell by or best by date that is greater than 17 days beginning after midnight on the day on which the milk was pasteurized, and that has been approved by the Department under subsection (f), the permitholder shall, at intervals of no greater than 6 months and for the highest-selling volume of milk type, and each type and volume of container of that highest-selling volume of milk type bearing that label information, sample and test in accordance with paragraph (2).

(1.1) *Department monitoring.* The Department may, at its discretion, pull regulatory samples from a permitholder or person required to have a permit, at any time during regular business hours, for testing at an official laboratory.

(2) *Testing methodology.* The permitholder shall submit unopened samples described in paragraph (1) [will be analyzed by the Department or a Pennsylvania-approved dairy laboratory, applying a methodology in the most current edition of Dairy Practices Council Guideline No. 10, entitled “Guidelines for Maintaining and Testing Fluid Milk Shelf Life,”] for analysis by a laboratory meeting the requirements of § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results), applying the methodology established in subsection (f)(1)(ii) or an approved method established under § 59a.5(a)(4) to determine whether the bacterial test results exceed the bacterial limits for pasteurized milk described in § 59a.21 (relating to standards) prior to the expiration of the [sell-by] sell by or best by date designated on the retail container.

(3) *Pasteurized milk that exceeds the bacterial limits.*

(i) When a sample pulled under paragraph (1) or paragraph (1.1) exceeds the bacterial limits for pasteurized milk described in § 59a.21 prior to the expiration of the sell by or best by date designated on the retail container, the permitholder shall resample that same product at the next production date, or within 10 days, following receipt of test results, for retesting as established in paragraph (2).

(ii) When two or more samples [demonstrate a processor] pulled under paragraph (1) or paragraph (1.1) indicate that a permitholder cannot produce pasteurized milk that remains consistently within the bacterial limits [referenced in paragraph (2)] during a 17-day sell-by period, the Department will require a processor to use a sell-by date of something less than the 17-day period described in subsection (a). The [established in § 59a.21 during the sell by or best by date period the Department will calculate [this revised sell-by] a reduced sell by or best by date so that bacterial growth in the milk will not exceed the referenced bacterial limits within that [sell-by] sell

by or best by date period if the milk is maintained in accordance with the temperature standards for pasteurized milk in § 59a.21.

(4) Resumption of use of a sell by or best by date not exceeding 17 days. A processor may submit three samples from different production days to [the Department] a laboratory meeting the requirements of § 59a.5 for analysis to obtain approval to resume a 17-day [sell-by] sell by, or less, period for the product sampled. The Department will approve resumption of a 17-day, or less, [sell-by] sell by period when analysis of a sample demonstrates that bacterial growth in the milk will not exceed the referenced bacterial limits within that [sell-by] sell by period if the milk is maintained in accordance with the temperature standards for pasteurized milk in § 59a.21.

(5) Reapplying to resume a sell by or best by date period greater than 17 days. A permitholder may reapply to the Department to resume a sell by or best by date period greater than 17 days for the product sampled by following the application process established in subsection (f).

(6) Reporting test results. The Pennsylvania-approved dairy laboratory conducting tests required under this section shall submit results to the permitholder and the Department as established in § 59a.5.

(f) Applying to the Department for approval to use a sell by or best by date greater than 17 days. A permitholder may apply to the Department for approval to use a sell by or best by date that exceeds the 17-day period referenced in subsection (b.1). The Department will approve a permitholder's application by type of milk and the type and volume of the milk container.

(1) Approval process. The permitholder shall apply to the Department for approval to use a specific sell by or best by date that is greater than 17 days using a form provided by the Department.

(i) The permitholder must specify on the form by milk type and type and volume of container each product for which approval is requested and the specific sell by date or best by date proposed for that product as packaged.

(ii) For each milk type and type and volume of container for which approval is requested, the permitholder must include a report from a laboratory meeting the requirements of § 59a.5 that confirms the requirements set forth in 3 Pa.C.S. § 5744(b)(3) (relating to sell-by date or best-by date of greater than 17 days from pasteurization). The bacterial count required under 3 Pa.C.S. § 5744(b)(3)(ii) shall conform with the bacteriological standards established in § 59a.21(a).

(iii) Testing results shall be maintained by the permitholder for a minimum of 2 years.

(2) Continuation of approval. The Department's approval under this section shall remain in effect as long as the permitholder continues to complete the periodic sampling and testing required in subsection (e).

§ 59a.16. Markings, sealing [and], documentation and inspection requirements for vehicles containing milk [and], milk products or manufactured dairy products.

(a) Marking requirements. A vehicle or milk tank truck containing milk [or], milk products or manufactured dairy products shall be legibly marked with the name and address of the milk plant or hauler in possession of the contents.

(b) Seal requirement. A vehicle or milk tank truck transporting raw, heat-treated or pasteurized milk [or], milk products or manufactured dairy products to a milk plant from another milk plant, receiving station or transfer station shall be marked with the name and address of the milk plant from which the milk [or], milk products or manufactured dairy products are transported, and shall be sealed.

(c) Documentation requirements. A vehicle or milk tank truck transporting raw, heat-treated or pasteurized milk [or], milk products or manufactured dairy products to a milk plant from another milk plant, receiving station or transfer station shall be accompanied by a legible shipping statement containing the following information:

(1) Shipper's name, address and permit number. A milk tank truck containing milk must include on the weigh ticket or manifest the IMS [Bulk Tank Unit (BTU)] BTU identification numbers or—for farm groups listed with a milk plant—the IMS Listed Milk Plant Number.

* * * * *

(12) Grade [of product] "A," if product is Grade "A."

(d) Cans of raw milk. Cans of raw milk from individual dairy farms shall be identified by the name, producer number or permit number of the individual milk producer.

(e) Additional documentation. Milk transport tank trucks transporting bulk milk [and] or manufactured dairy products must be accompanied by documentation, such as a weigh ticket or manifest, which includes the NCIMS BTU Identification Number or the NCIMS Listed Milk Plant Number, for farm groups listed with a milk plant.

(f) [Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular section 4, regarding labeling, apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO) [Reserved].

(g) Vehicle or milk tank truck inspection. Vehicles and milk tank trucks transporting raw, heat-treated or pasteurized milk, milk products or manufactured dairy products within this Commonwealth shall be inspected at least once every 24 months, or at a lesser interval where violations have occurred, by the Department or other Department authorized official, or a non-Commonwealth State agency participating in the NCIMS program, and shall comply with standards set forth in PMO Appendix B, VIII (relating to milk tank truck permitting and inspection).

(h) Reporting and inspection. Haulers and milk plants shall cooperate with the Department by:

(1) Providing an annual report of the vehicles and milk tank trucks described in subsection (g) in

their fleet on forms supplied by the Department or as otherwise deemed acceptable by the Department.

(2) Making those vehicles and milk tanker trucks available for inspection.

(i) Proof of inspection. Upon compliant inspection, the Department will issue an official sticker indicating compliance and setting forth the expiration date of the current valid inspection. The Department shall apply the sticker to each vehicle and milk tanker truck found to be compliant.

(j) Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular section 4 (relating to labeling) and Appendix B (relating to milk sampling, hauling and transportation), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

§ 59a.17. Inspection of dairy farms and milk plants.

(a) General inspection requirement. Dairy farms shall be inspected by an approved inspector at intervals of no greater than 6 months [, unless the dairy farm produces raw milk for human consumption under a raw milk permit, in which case the inspection shall be as prescribed in Subchapter F (relating to raw milk for human consumption)]. Grade "A" dairy farms shall be inspected by a certified industry inspector. Milk plants shall be inspected by [**an approved inspector**] **the Department** at intervals of no greater than 3 months, or as otherwise prescribed by the Grade "A" PMO [, as referenced in subsection (d)].

(b) Inspection frequency. Each producer of milk for pasteurization will be inspected initially and on any change of market by an approved inspector [, and]. **The milk producer shall have an empty bulk tank for an initial inspection or change of market inspection.** **An inspection** shall have a passing score before the first milk is shipped. Producers shall be inspected at least once in each 6-month period by an approved inspector, and an accurate record of farm inspections and quality control testing shall be maintained on forms acceptable to the Department. The records of farm inspections must include the date of inspection, [**any**] noted deficiencies, whether the inspection resulted in a passing score, suspension or reinspection. The records of quality control testing must include bacterial count, somatic cell count, drug residue screening results, temperature results, records of water supply testing, copies of warning letters and suspension letters and information required under Appendix N (relating to drug residue testing and farm surveillance) of the Grade "A" PMO [**regarding drug residue testing and farm surveillance**].

(c) Notification to the Department of producer status. A permitholder shall, within 24 hours of its initial instatement of a producer, its suspension of a producer or its reinstatement of a producer, provide the Department **with** the name and address of the producer and the specific action taken by the permitholder.

(d) Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular section 5 [, **regarding inspection of dairy farms and milk plants**] (relating to inspection of dairy farms and milk plants), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

§ 59a.18. Sampling and examination.

(a) Sampling and testing costs. Sampling and testing required under this section shall be at the expense of the permitholder or permit applicant, and shall be conducted by a Pennsylvania-approved dairy laboratory [, **an out-of-State dairy laboratory that is listed with the NCIMS or that operates in accordance with the current Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration and current FDA 2400 Laboratory Series forms, or the Department**] **or laboratory compliant with § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results).**

(b) Certified milk plants, receiving stations and transfer stations; milk plants and transfer stations that receive Grade "A" milk. A milk plant, receiving station or transfer station shall comply with Appendix N (relating to drug residue testing and farm surveillance) of the Grade "A" PMO [, **regarding drug residue testing and farm surveillance,**] if it is certified under the NCIMS Interstate Milk Shippers Program, or if it receives Grade "A" milk.

* * * * *

(e) Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular section 6 (relating to examination of milk and/or milk products) and Appendix N [**regarding examination of milk and milk products and drug residue testing and farm surveillance,**] apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

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§ 59a.19. Standards for Grade "A" milk for pasteurization, ultrapasteurization or aseptic processing.

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(b) Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular the *Standards for Grade "A" Raw Milk for Pasteurization, Ultrapasteurization or Aseptic Processing* set forth in that document and section 7 [, **regarding**] (relating to standards for Grade "A" milk and milk products) are incorporated by reference as regulations authorized under the act, to the extent they do not conflict with the act or [**any provision**] **the provisions** of this chapter. This includes all of the items listed under the referenced Grade "A" PMO provisions, including the following:

* * * * *

§ 59a.20. Standards for [Grade "A"] pasteurized, ultrapasteurized and aseptically processed milk and [milk] manufactured dairy products.

(a) Applicability. The standards prescribed under this section apply to a milk plant **processing milk and manufactured dairy products** regardless of whether it is certified under the NCIMS Interstate Milk Shippers Program.

(b) Reference to applicable provisions of the Grade "A" PMO. The provisions of the Grade "A" PMO, in particular the *Standards for Grade "A" Pasteurized, Ultrapasteurized and Aseptically Processed Milk and Milk Products* and section 7 [, **regarding**] (relating to standards for Grade "A" milk and milk products), apply to this section to the extent described in § 59a.11 (relating to adoption

of Grade “A” PMO). This includes all of the items listed under the referenced Grade “A” PMO provisions, including the following:

- (1) Item 1p. Floors—Construction
- (2) Item 2p. Walls and Ceilings—Construction
- (3) Item 3p. Doors and Windows
- (4) Item 4p. Lighting and Ventilation
- (5) Item 5p. Separate Rooms
- (6) Item 6p. Toilet-Sewage Disposal Facilities
- (7) Item 7p. Water Supply
- (8) Item 8p. Handwashing Facilities
- (9) Item 9p. Milk Plant Cleanliness
- (10) Item 10p. Sanitary Piping
- (11) Item 11p. Construction and Repair of Containers and Equipment
- (12) Item 12p. Cleaning and Sanitizing of Containers and Equipment
- (13) Item 13p. Storage of Cleaned Containers and Equipment
- (14) Item 14p. Storage of Single-Service [**Containers**] **Articles**, Utensils and Materials
- (15) Item 15p. Protection from Contamination
- (16) Item 16p. **Pasteurization and Aseptic Processing and Packaging, Retort Processed after Packaging, and Fermented High Acid, Shelf-Stable Processing and Packaging**
- (17) Item 17p. Cooling of Milk and Milk Products
- (18) Item 18p. Bottling, Packaging and Container Filling
- (19) Item 19p. Capping, Container Closure and Sealing and Dry Milk Product Storage
- (20) Item 20p. Personnel—Cleanliness **and Practices**
- (21) Item 21p. Vehicles
- (22) Item 22p. Surroundings

§ 59a.21. **Standards.**

(a) *Standards for milk and [**milk**] **manufactured dairy products.*** The standards that apply to milk and [**milk**] **manufactured dairy** products are as set forth in section 7 (**relating to standards for Grade “A” milk and milk products**) of the Grade “A” PMO, in Table 1[, **regarding**] (**relating to** chemical, physical, bacteriological, and temperature standards) **except that the somatic cell count for Grade “A” raw milk and manufactured dairy products for pasteurization shall not exceed 500,000 per milliliter.**

(b) *Standards for milk for manufacturing, **milk products** and manufactured dairy products.* The standards that apply to milk for manufacturing, **milk products** and manufactured dairy products are as set forth in Subchapter C (relating to production and processing of milk for manufacturing purposes). Other fluid derivatives of milk, including condensed milk and milk products, nonfat dry milk and milk products, condensed whey and whey products, and buttermilk and buttermilk products, may be processed according to the standards and requirements for manufactured grade milk and [**milk**] **manufactured dairy** products provided that they meet [**all**] **the** applicable requirements of Subchapter C.

(c) *Standards for **milk products, including ice cream and frozen dessert mixes.*** Frozen desserts—vanilla, chocolate, and one other flavor when applicable—shall be tested at least monthly for the standard plate count and coliform group. Frozen desserts mix shall be tested at least monthly for the standard plate count, coliform group, and phosphatase activity. The following are the specific standards for ice cream and frozen dessert mixes:

(1) *Temperature.* Cooled to 45° F (7° C) or less and maintained thereat.

(2) *Bacterial limits applicable to all but cultured products.* 50,000 per gram.

(3) *Coliform.* Not to exceed 10 per gram. When fruit or nuts and flavoring are added after pasteurization, the count shall not exceed 20 per gram.

(4) *Phosphatase.* Less than 350 milliunits per liter by approved electronic phosphatase procedures.

(5) *Drugs.* On test of milk ingredients, no positive results on drug residue detection methods as referenced in section 7 (**relating to standards for Grade “A” milk and milk products**) of the Grade “A” PMO, Table 1[, **regarding chemical, physical, bacteriological and temperature standards**] .

(d) *Reference to applicable provisions of the Grade “A” PMO.* The provisions of the Grade “A” PMO and, in particular, section [7] 6 (**relating to the examination of milk and/or milk products**) and Appendix N [**of that document regarding examination of milk and milk products and drug residue testing and farm surveillance, respectively**] (**relating to drug residue testing and farm surveillance**), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.22. **Animal health.**

The provisions of the Grade “A” PMO, in particular section 8[, **regarding**] (**relating to** animal health), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.23. **Milk [and], milk products and manufactured dairy products** which may be sold.

The provisions of the Grade “A” PMO, in particular section 9[, **regarding**] (**relating to** milk [**and**] **and/or** milk products which may be sold), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.24. **Transferring; delivery containers; cooling.**

The provisions of the Grade “A” PMO, in particular section 10[, **regarding**] (**relating to** transferring; delivery containers; **and** cooling), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.25. **Milk, milk products and manufactured dairy products from points outside this Commonwealth.**

* * * * *

(b) *Reference to applicable provisions of the Grade “A” PMO.* The provisions of the Grade “A” PMO, in particular section 11[, **regarding**] (**relating to** milk [**and**] **and/or** milk products from points beyond the limits of routine inspection), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade “A” PMO).

§ 59a.26. Plans for construction and reconstruction.

* * * * *

(b) *Reference to applicable provisions of the Grade "A" PMO.* The provisions of the Grade "A" PMO, in particular section 12 [, regarding] (relating to plans for construction and reconstruction), apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

§ 59a.27. Personnel health.

The provisions of the Grade "A" PMO, in particular section 13 [, regarding] (relating to personnel health), are adopted as the regulatory standards of the Department to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

§ 59a.28. Procedure when infection or high risk of infection is discovered.

(a) *Specific requirements.* When reasonable cause exists to suspect the possibility of transmission of infection from a person concerned with the handling of milk [or], milk products **or manufactured dairy products**, the Department is authorized to require one or more of the following measures:

(1) The immediate exclusion of that person from handling milk [or], milk products **or manufactured dairy products**, or the handling of related [**milk or milk-product**] **product** contact surfaces, subject to release from this exclusion if in accordance with [**Table 5 of section 15**] **sections 13 and 14 (relating to personnel health; and procedure when infection or high risk of infection is discovered)** of the Grade "A" PMO.

(2) The immediate exclusion of the milk supply concerned from distribution and use.

(3) Adequate medical and bacteriological examination of the person and his associates and of their body discharges.

(b) *Reference to applicable provisions of the Grade "A" PMO.* The provisions of the Grade "A" PMO, in particular section [**16, regarding procedure when infection or high risk of infection is discovered**] **14**, apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

Subchapter C. PRODUCTION AND PROCESSING OF MILK FOR MANUFACTURING PURPOSES

§ 59a.102. Milk permits.

Plants, receiving stations, transfer stations and [**bulk tank units**] **BTUs** handling or processing milk for manufacturing of **milk products or manufactured dairy products** shall apply for a permit in accordance with § 59a.12 (relating to permits) which describes the process and requirements by which permits are acquired and maintained.

(1) Permits are required for the sale of milk for manufacturing purposes, **manufactured milk products** and manufactured dairy products. Application shall be made annually on a form secured from the Secretary.

(2) A separate permit shall be obtained for each plant, receiving station, transfer station and bulk tank unit.

(3) The permit year begins September 1 of each year and ends on August 31 of the following year.

§ 59a.103. Plant inspection.

Plants receiving milk, **milk products** or **manufactured dairy products**, for manufacturing or further processing, will be subject to inspection by the Secretary or an agent.

§ 59a.104. [**Certification of bulk milk collectors—weighers/samplers**] [**Reserved**].

[(a) **Weighers/samplers** will be evaluated and approved by the Department.

(b) **The provisions of the Grade "A" PMO, in particular Appendix B, regarding the required training and periodic evaluation of weighers/samplers, apply to this section to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).**]

§ 59a.105. [**Approved milk graders**] [**Reserved**].

[**Milk graders** will be approved by the Department based upon the milk grader being capable of determining the quality classification of raw milk for manufacturing purposes in accordance with §§ **59a.106—59a.111.**]

§ 59a.106. Basis.

The quality classification of raw milk for manufacturing purposes shall be based on an organoleptic examination for appearance and odor, a drug residue test and quality control tests for [**sediment content,**] bacterial estimate and somatic cell count, **as set forth in §§ 59a.107, 59a.109, 59a.110 and 59a.111.**

§ 59a.107. Appearance and odor.

(a) ***Industry responsibilities.* Approved samplers shall be responsible for ensuring that raw milk for manufacturing purposes meets the requirements of this section.**

(b) ***Examination for appearance and odor.*** The appearance of acceptable raw milk for manufacturing purposes must be normal and free of [**excessive**] coarse sediment when examined visually [**or by the methods described in § 59a.108(a) (relating to sediment content classification)**]. The milk may not show any abnormal condition including curdles, ropy, bloody or mastitic conditions, as indicated by visual examination of the milk. The odor must be fresh and sweet. The milk must be free from objectionable feed and other off-odors that would adversely affect the finished product.

§ 59a.108. [**Sediment content classification**] [**Reserved**].

[(a) ***Method of testing.*** Methods for determining the sediment content of the milk of individual producers shall be those described in the *Standard Methods for the Examination of Dairy Products*. Sediment content must be based on comparison with applicable charts of the United States Sediment Standards for Milk and Milk Products. These charts are available from the Dairy Standardization Branch, Dairy Programs, Agricultural Marketing Service, United States Department of Agriculture, Room 2746-South, 1400 Independence Avenue, S.W., Washington, D.C. 20250-0230.

(b) ***Classifications.*** Milk shall be classified for sediment content in accordance with the USDA Sediment Standard, regardless of the results of the

appearance and odor examination described in § 59a.107 (relating to appearance and odor), as set forth in this subsection. The USDA Sediment Standard defines the following classifications:

(1) Milk classified as "No. 1" has a tested sediment content that does not exceed 0.50 mg. or equivalent, and is acceptable.

(2) Milk classified as "No. 2" has a tested sediment content that does not exceed 1.50 mg. or equivalent, and is acceptable.

(3) Milk classified as "No. 3" has a tested sediment content that does not exceed 2.50 mg. or equivalent, and is probational for not more than 10 days.

(4) Milk classified as "No. 4" has a tested sediment content that exceeds 2.50 mg. or equivalent, and is rejected.

(c) *Frequency of tests.* At least once each month, at irregular intervals, the milk from each producer shall be tested as follows:

(1) *Milk in cans.* A sample shall be taken from one or more cans of milk selected at random from each producer.

(2) *Milk in farm bulk tanks.* A sample shall be taken from each farm bulk tank.

(d) *Acceptance or rejection of milk.*

(1) If the sediment disc is classified as No. 1, No. 2 or No. 3, the producer's milk may be accepted.

(2) If the sediment disc is classified as No. 4, the milk shall be rejected.

(3) If the shipment of milk is commingled with other milk in a transport tank, the next shipment may not be accepted until its quality has been determined at the farm before being picked up. If the person making the test is unable to get to the farm before the next shipment, it may be accepted but no further shipments shall be accepted unless the milk meets the requirements of No. 3 or better. In the case of milk classified as No. 3 or No. 4, if in cans, all cans shall be tested. Producers of No. 3 or No. 4 milk-cans or bulk-shall be notified immediately and shall be furnished applicable sediment discs and the next shipment shall be tested.

(e) *Retests.* On tests of the next shipment (if in cans, all cans shall be tested) milk classified as No. 1, No. 2 or No. 3, may be accepted, but No. 4 milk shall be rejected. Retests of bulk milk classified as No. 4 shall be made at the farm before pickup. The producers of No. 3 or No. 4 milk shall be notified immediately, furnished applicable sediment discs and the next shipment shall be tested. This procedure of retesting successive shipments and accepting probational (No. 3) milk and rejecting No. 4 milk may be continued for a period not to exceed 10 calendar days. If, at the end of this time, all of the producer's milk does not meet the acceptable sediment content classification (No. 1 or No. 2), it shall be excluded from market.]

§ 59a.109. Bacterial estimate classification.

(a) *General testing requirement.* A laboratory examination to determine the bacterial estimate shall be made on each producer's milk at least once each month at irregular intervals. Samples shall be analyzed at a Pennsylvania-approved dairy laboratory or other labo-

ratory compliant with § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results). The laboratory must report the results to the permitholder.

* * * * *

(c) *Excessive bacteria.* Whenever the bacterial estimate indicates the presence of more than 500,000 bacteria per milliliter, the result shall be noted as a producer violation in the permitholder's records. When two of the last four consecutive bacterial estimates exceed 500,000 per milliliter, the permitholder shall send a written warning notice to the producer in violation. This notice shall be in effect as long as two of the last four consecutive samples exceed the limit of the standard.

* * * * *

§ 59a.110. Somatic cell count.

(a) *General testing requirement.* A laboratory examination to determine the level of somatic cells shall be made on each producer's milk at least once each month. Samples shall be analyzed at a Pennsylvania-approved dairy laboratory or other laboratory compliant with § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results). The laboratory must report the results to the permitholder.

* * * * *

(c) *Excessive somatic cell count.* Whenever the official test indicates the presence of more than [750,000] 500,000 somatic cells per milliliter (1,500,000/ml for [goat] goat/sheep milk), the result shall be noted as a producer violation in the permitholder's records. When two of the last four consecutive bacterial estimates exceed [750,000/ml] 500,000/ml (1,500,000/ml for [goat] goat/sheep milk), the permitholder shall send a written warning notice to the producer in violation. This notice shall be in effect as long as two of the last four consecutive samples exceed the limit of the standard.

(d) *Excluding milk with an excessive somatic cell count from the market.* If a producer receives the written notice described in subsection [(c)(2)] (c), the producer shall have an additional sample taken between 3 and 21 days after receiving the notice. If this sample also exceeds [750,000] 500,000 per milliliter (1,500,000/ml for goat/sheep milk), subsequent milkings shall be excluded from the market until satisfactory compliance is obtained. Shipment may be resumed and a temporary status assigned to the producer by the Department when an additional sample of herd milk is tested and found satisfactory. The producer shall be assigned a full reinstatement status when three out of four consecutive somatic cell count tests do not exceed [750,000] 500,000 per milliliter (1,500,000/ml for goat/sheep milk). The samples shall be taken at a rate of not more than two per week on separate days within a 3-week period.

§ 59a.111. Drug residue level.

(a) *Industry responsibilities.* [Manufactured] Milk products and manufactured dairy products permit-holders shall meet the requirements of this section to confirm their milk products and manufactured dairy products are free of violative drug residues.

(1) *Sampling and testing program.*

(i) Milk shipped for processing or intended to be processed on the farm where it was produced shall be

sampled and tested, prior to processing, for *beta lactam* drug residue. Collection, handling and testing of samples shall be done according to procedures established by the Department in this section, and in accordance with Appendix N of the Grade "A" PMO [, regarding] (relating to drug residue testing and farm surveillance). If a person processes milk on the farm where it was produced and produces that milk in accordance with a written quality control program addressing the use of animal drugs at that dairy operation, that person may request a variance from the testing requirements of this subparagraph. The request shall be in writing and include a copy of the written quality control program. The Department may, on the basis of the request, issue a variance with respect to the requirements of this subparagraph. A variance issued under this subparagraph will be valid for no more than 1 year and may be renewed for additional periods of up to 1 year following the Department's review of the quality control program and any on-farm inspections the Department deems necessary to determine whether a successor variance should be issued.

* * * * *

(v) [Sample test results for milk] A sample test result, including negative and positive test results, shall be recorded. The test result records shall be retained for 6 months.

* * * * *

(b) *Responsibilities of the Department.*

* * * * *

(2) *Enforcement.*

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(vi) The actions and procedures of the Department will be in accordance with this chapter and Appendix N of the Grade "A" PMO [, regarding] (relating to drug residue testing and farm surveillance).

§ 59a.112. Rejected milk.

(a) *Rejection requirement.* A plant shall reject specific milk from a producer if it fails to meet the requirements under § 59a.107 (relating to appearance and odor) [, if it is classified No. 4 for sediment content,] or if it tests positive for drug residue.

(b) *Tagging and coloring rejected milk.* Rejected milk shall be identified with a reject tag and colored with harmless food coloring.

§ 59a.113. Suspended milk for manufacturing.

A plant may not accept milk from a producer if one of the following occurs:

(1) [The producer's initial milk shipment to a plant is classified as No. 3 for sediment content, as described in § 59a.108 (relating to sediment content classification)] [Reserved].

(2) [The milk has been in a probational (No. 3) sediment content classification for more than 10-calendar days] [Reserved].

(3) Three of the last five milk samples have exceeded the maximum bacterial estimate of 500,000 per milliliter, as described in § 59a.109 (relating to bacterial estimate classification).

(4) Three of the last five milk samples have exceeded the maximum somatic cell count level of [750,000]

500,000 per milliliter (1,500,000/ml for [goat] goat/sheep milk), as described in § 59a.110 (relating to somatic cell count).

(5) The producer's milk shipments to either the Grade "A" milk market or the manufacturing grade milk market are currently prohibited due to a positive drug residue test.

(6) The milk contains added water. For purposes of this requirement, samples analyzed for added water and found to have a freezing point above -0.525° [F] Hortvet (0.508° [C] Celsius) shall be considered adulterated unless proven free of added water.

§ 59a.114. Inspection and quality testing of milk from producers.

(a) *Inspections.* Inspections shall be as follows:

(1) A dairy farm on which milk is produced for manufacturing purposes shall be inspected initially with an empty bulk milk tank and have a passing score before the first milk is shipped.

(2) The dairy farm of a producer, on a change of market, shall [be] have an empty bulk milk tank inspected by an approved inspector and have a passing score before the first milk is shipped.

* * * * *

(b) *Testing of first shipment.* An examination and tests shall be made on the first shipment of milk from producers shipping milk to a plant for the first time or after a period of nonshipment. The milk must meet the following requirements:

(1) The requirements of § 59a.107 (relating to appearance and odor).

(2) [The requirements of § 59a.108 (relating to sediment content classification)] [Reserved].

(3) The requirements of § 59a.109 (relating to bacterial estimate classification).

(4) The requirements of § 59a.110 (relating to somatic cell count).

(5) The requirements of § 59a.111 (relating to drug residue level).

(c) *Testing of subsequent shipments.* For all shipments of milk not described in subsection (b), testing must meet the following requirements:

(1) The requirements of § 59a.107.

(2) [The requirements of § 59a.108] [Reserved].

(3) The requirements of § 59a.109.

(4) The requirements of § 59a.110.

(5) The requirements of § 59a.111.

(d) *Transfer producers.* When a producer discontinues milk delivery to one plant and begins delivery to a different plant, the provisions of the Grade "A" PMO, in particular section 5 [, regarding certified industry inspection and change-of-market requirements] (relating to inspection of dairy farms and milk plants), apply to the extent described in § 59a.11 (relating to adoption of Grade "A" PMO).

§ 59a.116. Abnormal milk.

(a) *Certain milk to be excluded from human consumption.* [Cows] Dairy animals which show evidence of the secretion of abnormal milk in one or more quarters or

halves based on bacteriological, chemical or physical examination and [cows] dairy animals which have been treated with or have consumed chemical, medicinal or radioactive agents which are capable of being secreted in the milk in excess of any established limits and which may be deleterious to human health shall be milked last or with separate equipment and the milk may not be offered for sale for human consumption.

(b) *Medicinal agents.* Milk from [cows] dairy animals being treated with medicinal agents may not be offered for sale for periods recommended by the attending veterinarian or as indicated on the package label of the medicinal agent.

(c) *Pesticides.* Milk from [cows] dairy animals treated with or exposed to pesticides not approved for use on dairy [cattle] animals by the United States Environmental Protection Agency may not be offered for sale until the milk has been tested and found acceptable by the Secretary, in accordance with the procedures and standards set forth in Appendix N of the Grade "A" PMO[, regarding] (relating to drug residue testing and farm surveillance).

(d) *Visibly abnormal milk and odorous milk.* Bloody, stringy, off-color milk or milk abnormal in sight and odor shall be handled and disposed of to preclude the infection of other [cows] dairy animals, and the contamination of the utensils.

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Subchapter D. FARMS PRODUCING MILK FOR MANUFACTURING

§ 59a.201. Farm inspection.

Farms producing and selling milk for manufacturing purposes shall comply with the following inspection provisions:

(1) Each dairy farm operated by a producer of milk for manufacturing purposes shall be inspected initially and on any change of market by an approved inspector. The dairy farm shall have an empty bulk tank for inspection and shall have a passing score before the first milk is shipped. To attain a passing score, there may not be deficiencies in areas of major significance to the sanitary quality of the farm's milk supply unless these deficiencies are immediately corrected during the inspection. These areas of major significance include toilet, water supply, construction of utensils and equipment, cleaning and sanitizing of equipment, cow cleanliness and proper storage and labeling of medications. Dairy farms producing milk for manufacturing purposes shall be inspected every 6 months by an approved inspector, and an accurate record of inspections shall be maintained by each permitholder for 24 months.

(2) Producers who cannot produce milk of a wholesome sanitary quality will be suspended. Producers who are not in substantial compliance with this section or § 59a.102 (relating to milk permits) will be reinspected after an appropriate time for correction of deficiencies. Milk for manufacturing is of wholesome sanitary quality if it meets the applicable requirements of Subchapter C (relating to production and processing of milk for manufacturing purposes), including those relating to appearance and odor, drug residue, [sediment content,] bacterial estimate and somatic cell count, and § 59a.202 (relating to milking facilities and housing).

(3) A permitholder shall promptly notify the Department of initial instatement, suspension or reinstatement

of a producer from which milk for manufacturing is or was received. Identification of the producer, including name and address, shall be provided orally [or], by mail or e-mail within 24 hours of the action.

§ 59a.202. Milking facilities and housing.

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(e) *Yard requirements.* The yard or loafing area must be of ample size to prevent overcrowding, be drained to prevent forming of standing water [pools], insofar as practicable, and kept clean.

§ 59a.205. Milkhouse or milkroom.

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(b) *Equipment and construction.* The milkroom must be equipped with a wash and rinse vat, utensil rack, milk cooling facilities and an adequate supply of hot water available for cleaning milking equipment. If a part of the barn or other building, it must be partitioned, screened and sealed to prevent the entrance of dust, flies, insects or other contamination. The floor of the building must be of concrete or other impervious material and graded to provide proper drainage. The walls and ceilings must be constructed of smooth easily cleaned material. Outside doors must open outward and be self-closing, unless they are provided with tight-fitting screen doors that open outward or unless other effective means are provided to prevent the entrance of flies or insects.

* * * * *

§ 59a.207. Water supply.

A dairy farm water supply shall be properly located, protected and operated, and shall be easily accessible, ample, and of safe, sanitary quality for the cleaning of dairy utensils and equipment. The water supply must come from a source which complies with the water supply provisions of the Grade "A" PMO, including Appendix D[, regarding] (relating to standards for water sources), and is approved by the Department.

**Subchapter E. MANUFACTURING PLANTS
GENERAL REQUIREMENTS**

§ 59a.302. Buildings.

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(b) *Outside doors, windows and openings.* Openings to the outer air, including doors, windows, skylights and transoms, shall be effectively protected or screened against the entrance of flies and other insects, rodents, birds, dust and dirt. Outside doors opening into processing rooms must be in good condition, self-closing, and fit properly. Hinged, outside screen doors must open outward. Doors and windows shall be kept clean and in good repair. Outside conveyor openings and other special-type outside openings shall be effectively protected to prevent the entrance of flies, insects and rodents, by the use of doors, screens, flaps, fans or tunnels. Outside openings for sanitary pipelines shall be covered when not in use. On new construction, window sills should be slanted downward at a 45° angle.

* * * * *

(f) *Certain rooms and compartments.* Rooms and compartments in which raw material, packaging, ingredient supplies or dairy products are handled, manufactured, packaged or stored shall be designed, constructed and maintained to [assure] ensure desirable room temperatures and clean and orderly operating conditions free from objectionable odors and vapors. Enclosed bulk milk receiving rooms must be separated from the processing

rooms by a partition. Rooms for receiving can milk must be separated from the processing rooms by a partition—partial or complete—by suitable arrangement of equipment or by allowing enough distance between receiving and processing operations to avoid possible contamination of milk or dairy products during manufacturing and handling. Processing rooms shall be kept free from equipment and materials not regularly used. Rooms and compartments must comply with the following:

* * * * *

(5) *Laboratory.* The permit holder may establish its own laboratory to perform required tests on milk received as milk for manufacturing purposes. The laboratory shall be adequately equipped and maintained and be properly staffed with qualified, trained personnel and operate in accordance with [the current *Evaluation of Milk Laboratories, Recommendations of the United States Public Health Service/Food and Drug Administration and current FDA 2400 Laboratory Series forms*] § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results). If the permit holder does not establish its own laboratory, an existing [approved laboratory] Pennsylvania-approved dairy laboratory or other laboratory compliant with § 59a.5 is acceptable if services are conveniently available so that samples and results can be transmitted without delay.

* * * * *

§ 59a.303. Facilities.

(a) *Water supply.* There must be an ample supply of both hot and cold water of safe and sanitary quality, with adequate facilities for its proper distribution throughout the plant, and protection against contamination and pollution. Water from other facilities, when approved in writing by the Department, may be used for boiler feed water and condenser water provided that the waterlines are completely separated from the waterlines carrying the sanitary water supply, and the equipment is so constructed and controlled to preclude contamination of product contact surfaces. There may not be cross connection between the safe water supply and [any] an unsafe or questionable water supply, or any other source of pollution through which contamination of the safe water supply is possible. Bacteriological examination shall be made of the sanitary water supply at least [twice a year] every 6 months, or as often as necessary to determine purity and suitability for use in manufacturing dairy products. The tests shall be made in a laboratory that is approved by the Department. The results of all water tests shall be kept on file at the plant for which the test was performed.

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§ 59a.307. Protection and transport of raw milk and cream.

(a) *Equipment and facilities.*

(1) *Milk cans.* Cans used in transporting milk from dairy farm to plant must be constructed to be easily cleaned, and shall be inspected, repaired and replaced as necessary to exclude substantially the use of cans and lids with open seams, cracks, rust, [milkstone] milk residue or any unsanitary condition.

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§ 59a.308. Raw product storage.

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(e) Procedures if bacterial counts are high. Whenever a bacterial estimate of commingled milk in a plant indicates the presence of more than 1 million per milliliter, the following procedures shall be applied:

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(4) If a plant remains in temporary status in excess of 60 days, administrative procedures to suspend the plant's [license] permit will be taken by the Department until the plant complies with the bacteriological requirements.

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§ 59a.309. Pasteurized, ultrapasteurized or aseptically processed and packaged products.

Pasteurized, ultrapasteurized or aseptically processed and packaged products must conform with [§ 59a.2 (relating to definitions)] the pasteurization standards established in § 59a.7 (relating to pasteurization standards). When pasteurization or sterilization is intended or required, or when a product is designated "pasteurized" or "sterilized," every particle of the product shall be subjected to temperatures and holding periods that [assure] ensure proper pasteurization or sterilization of the product. The heat treatment by either process must be sufficient to [insure] ensure public health safety and [to assure] adequate keeping quality, [yet] while retaining the most desirable flavor and body characteristics of the finished product. The phenol value of test samples of pasteurized finished product may be no greater than the maximum specified for the particular product as determined and specified by the phosphatase test method prescribed in the latest edition of "Official Methods of Analysis of the Association of Official Agricultural Chemists" (a publication of the Association of Official Analytical Chemists International, 481 North Frederick Avenue, Suite 500, Gaithersburg, MD 20877-2417).

§ 59a.310. Composition and wholesomeness.

Necessary precautions shall be taken to prevent contamination or adulteration of the milk, milk products or manufactured dairy products during manufacturing. Substances and ingredients used in the processing or manufacturing of a milk, milk product or manufactured dairy product will be subject to inspection and must be wholesome and practically free from impurities. The finished product must comply with the Food, Drug, and Cosmetic Act (21 U.S.C. [A.] §§ 301—399i) [and], applicable regulations under 21 CFR Chapter I, Subchapter B (relating to food for human consumption), and applicable Commonwealth statutes and regulations as to their composition and wholesomeness.

§ 59a.313. Plant records.

A milk plant shall retain adequate records of required tests on raw milk receipts. Records shall be available for examination at reasonable times by the Department. The following records shall be maintained for examination at the plant or receiving station where performed:

(1) [Sediment, drug] Drug residue and bacterial test results on raw milk from each producer: retain for 12 months.

(i) Routine tests and monthly summary of all producers showing number and percent of total in each class.

(ii) Retests, if initial test places milk in probationary status.

[(iii) Rejection of raw milk over No. 3 in quality] [Reserved].

(2) Positive drug residue tests: retain for 12 months.

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§ 59a.314. Packaging and general identification.

(a) *Containers.* Containers must meet the following standards:

(1) The size, style and type of packaging used for **milk, milk products and manufactured** dairy products shall be commercially acceptable containers and packaging materials which satisfactorily cover and protect the quality of the contents during storage and regular channels of trade and under normal conditions of handling. The weights and shape within each size and style shall be as nearly uniform as is practical.

(2) Packaging materials for **milk, milk products and manufactured** dairy products shall be selected which provide sufficiently low permeability to air and vapor to prevent the formation of mold growth and surface oxidation. The wrapper must be resistant to puncturing, tearing, cracking or breaking under normal conditions of handling, shipping and storage. When a special type of packaging is used, the instructions of the manufacturers shall be followed closely as to its application and methods of closure.

(b) *Packaging and repackaging.* Packaging **milk, milk products or manufactured** dairy products or cutting and repackaging dairy products require a high level of sanitation to prevent the contamination of exposed product. The atmosphere of the packaging rooms, the equipment and packaging material must be practically free from mold and bacterial contamination. The method for checking the level of contamination shall be as prescribed by the *Standard Methods for the Examination of Dairy Products*.

(c) *General identification.* Commercial bulk packages containing **milk, milk products or manufactured** dairy products manufactured under this subchapter must be adequately and legibly marked with the name of the product, net weight, name and address of processor or manufacturer or other assigned plant identification, lot number and other identification that may be required. Consumer packaged products must be legibly marked with the name of the product, net weight, name and address of packer, manufacturer or distributor and other identification required by the Department.

§ 59a.315. Storage of finished product.

(a) *Dry storage.* The finished product must be stored at least 18 inches from the wall in aisles, rows or sections and lots, so it is orderly and easily accessible for inspection. Rooms shall be cleaned regularly. Care shall be taken in the storage of other products [**foreign to**] **and items in the same room with milk, milk products and manufactured** dairy products [**in the same room**], to prevent impairment or damage to the **milk, milk products or manufactured** dairy product from mold, absorbed odors, vermin or insect infestation. Control of humidity and temperature shall be maintained at all times, consistent with good commercial practices, to prevent conditions detrimental to the product and container.

(b) *Refrigerated storage.* The finished product must be placed on shelves, dunnage or pallets and properly identified. It must be stored under temperatures that will best maintain the initial quality. The product may not be exposed to anything from which it might absorb foreign odors or be contaminated by drippage or condensation.

(*Editor's Note:* Section 59a.317 is proposed to be added and is printed in regular type to enhance readability.)

§ 59a.317. Federal food safety regulations.

(a) The Department adopts all Federal regulations related to food as dictated by 3 Pa.C.S. § 5733(f) (relating to rules and regulations), including all applicable enforcement provisions.

(b) Permitholders shall comply with food facility registration requirements established in 21 CFR Chapter II, Subchapter A, Part 1, Subpart H (relating to registration of food facilities).

(c) Permitholders shall comply with the requirements of 21 CFR Chapter I, Subchapter B, Part 117 (relating to current good manufacturing practice, hazard analysis, and risk-based preventive controls for human food).

(d) Permitholders shall comply with applicable provisions and requirements under 7 CFR Subtitle B, Chapter I, Subchapter C, Part 58 (relating to grading and inspection, general specifications for approved plants and standards for grades of dairy products).

SUPPLEMENTAL REQUIREMENTS FOR PLANTS MANUFACTURING, PROCESSING AND PACKAGING INSTANT NONFAT DRY MILK, NONFAT DRY MILK, DRY WHOLE MILK, DRY BUTTERMILK, DRY WHEY AND OTHER DRY MILK PRODUCTS

§ 59a.348. Operations and operating procedures: Packaging, repackaging and storage.

(a) *Containers.* Packages or containers used for the packaging of nonfat dry milk or other dry milk products must be any clean, sound, commercially accepted container or packaging material which satisfactorily protects the contents through the regular channels of trade, without significant impairment of quality with respect to flavor, wholesomeness or moisture content under the normal conditions of handling. Packages or containers that comply with 21 CFR 177.1520 (relating to olefin polymers) are among the packages that meet the requirements of this subsection. Containers which have previously been used for nonfood items or food which would be deleterious to the **manufactured** dairy product may not be used for the bulk handling of [**dairy**] **these** products.

(b) *Filling.* Empty containers shall be protected from possible contamination and containers which are to be lined may not be prepared more than 1 hour in advance of filling. Every precaution shall be taken during the filling operation to minimize product dust and spillage. When necessary, a mechanical shaker shall be provided. The tapping or pounding of containers shall be prohibited. The containers shall be closed immediately after filling and the exteriors shall be vacuumed or brushed when necessary to render them practically free of product remnants before being transferred from the filling room to the [**palleting**] **palletizing** or dry storage areas.

* * * * *

(d) *Storage.* Storage shall be as follows:

(1) *Product.* The packaged dry [**milk**] product must be stored or arranged in aisles, rows or sections and lots at least 18 inches from a wall and in an orderly, easily accessible manner for inspection or for cleaning of the room. Bags and small containers of products must be placed on pallets elevated approximately 6 inches from the floor. The storage room shall be kept clean and dry and all openings protected against **the** entrance of insects and rodents.

(2) *Supplies.* Supplies must be placed on dunnage or pallets and arranged in an orderly manner for accessibility and cleaning of the room. Supplies must be kept enclosed in their original wrapping material until used. After removal of supplies from their original containers, they must be kept in an enclosed metal cabinet, bins or on shelving, and if not enclosed shall be protected from powder and dust or other contamination. The room shall be vacuumed as often as necessary and kept clean and orderly.

§ 59a.350. Operations and operating procedures: Checking quality.

Milk, **milk products and** manufactured dairy products [**and**], **to include** dry milk products shall be subject to inspection an analysis by the plant for quality and condition throughout each processing operation. Line samples shall be taken periodically as an aid to quality control in addition to the regular routine analysis made on the finished products.

§ 59a.351. Operations and operating procedures: Requirements for instant nonfat dry milk.

(a) *Sampling and testing.* Instant nonfat dry milk offered for sale shall be sampled and tested by an approved **dairy laboratory meeting standards established in § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results)** at least once each month for the purpose of assuring that the product meets the requirements of subsection (b). The dry milk plant shall have each subplot of approximately 4,000 pounds tested and analyzed prior to being packaged or offered for sale. Products which do not meet the requirements of subsection (b) may not be offered as Extra Grade.

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SUPPLEMENTAL REQUIREMENTS FOR PLANTS MANUFACTURING, PROCESSING AND PACKAGING BUTTER AND RELATED PRODUCTS

§ 59a.363. Operations and operating procedures.

(a) *Pasteurization.* The milk or cream shall be pasteurized at the plant where the milk or cream is processed into the finished product.

(1) *Cream for buttermaking.* Requirements are as follows:

(i) The cream for buttermaking, **other than the cream for production of raw milk butter as described in § 59a.402 (relating to raw milk; prohibitions), with respect to which pasteurization requirements are not applicable**, shall be pasteurized at a temperature of at least 165° F and held continuously in a vat at that temperature at least than 30 minutes, pasteurized by the HTST method at a minimum time and temperature of at least 185° F for at least 15 seconds or by another equivalent time and temperature combination that is approved by the Department. Additional heat treatment above the minimum pasteurization requirement is advisable to [**insure**] **ensure** improved keeping quality characteristics.

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SUPPLEMENTAL REQUIREMENTS FOR PLANTS MANUFACTURING AND PACKAGING CHEESE, PASTEURIZED PROCESS CHEESE AND RELATED PRODUCTS

§ 59a.371. Rooms and compartments.

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(c) *Drying room.* If cheese is to be paraffined, a drying room of adequate size shall be provided to accommodate the maximum production of cheese during the flush period. Adequate shelving and air circulation shall be provided for proper drying. Suitable temperature and humidity control facilities shall be provided. [**tion.**]

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§ 59a.372. Equipment and utensils.

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(1) *Cheese vacuumizer.* Bulk cheese vacuum chambers, if used, must be installed so that floor surfaces underneath are effectively sealed or have enough clearance so they can be cleaned. Interior surfaces of the vacuum chamber must be constructed and maintained so that the product is not contaminated with rust or flaking paint. An inner liner of stainless steel or other corrosion resistant material shall be provided. [**tion.**]

(m) Conveyors. Conveyors shall be constructed of material which can be properly cleaned, will not rust, or otherwise contaminate the cheese, and shall be maintained in good repair.

(n) Grinders or shredders. Product contact surfaces shall be of corrosion resistant material, and of a construction to prevent contamination of the cheese and to allow thorough cleaning of all parts and product contact surfaces, and shall be kept in good repair.

(o) Cookers. Cookers shall meet the following standards:

(1) The cookers shall be the steam jacketed or direct steam type.

(2) The cookers shall be constructed of stainless steel or other equally corrosion resistant material.

(3) The product contact surface shall be readily and easily accessible for cleaning.

(4) The cooker shall be equipped with an indicating thermometer and a temperature recording device.

(5) Steam check valves on direct steam type cookers shall be mounted flush with the cooker wall, constructed of stainless steel and designed to prevent the backup of product into the steam line, or the steam line shall be constructed of stainless steel pipes and fittings which can be readily and easily cleaned.

(6) If direct steam is applied to the product, only culinary steam shall be used.

(p) Fillers. The filler valves and head shall be kept in good repair and be capable of accurate measurements. The hoppers of a filler shall meet the following standards:

(1) Be covered, but these covers may have sight ports.

(2) May, where necessary, have an agitator to prevent buildup on the side wall.

§ 59a.373. Operations and operating procedures.

(a) *Cheese from pasteurized milk.*

(1) When the cheese is labeled as pasteurized, the milk shall be pasteurized [**by subjecting every particle of milk to a minimum temperature of 161° F for at**

least 15 seconds] in accordance with the standards established in § 59a.7 (relating to pasteurization standards).

(2) [HTST pasteurization] Pasteurization units must be equipped with the proper controls and equipment to [assure] ensure pasteurization. If the milk is held more than 2 hours between time of receipt or heat treatment and setting, it shall be cooled to 45° F or lower until time of setting.

(b) Cheese from unpasteurized milk.

(1) When the cheese is labeled as “heat treated,” “unpasteurized,” “raw milk” or “for manufacturing,” the milk may be raw or heated at a temperature below pasteurization.

(2) If the milk is held more than 2 hours between time of receipt or heat treatment and setting, it shall be cooled to 45° F or lower until time of setting.

(3) Cheese to be labeled as “raw aged” shall meet the following requirements:

(i) The cheese is a standardized cheese identified in 21 CFR Chapter I, Subchapter B, Part 133, Subpart B (relating to requirements for specific standardized cheese and related products).

(ii) The standards set forth in 21 CFR Chapter I, Subchapter B, Part 133, Subpart B, must allow that type of cheese to be manufactured from raw milk.

(iii) Laboratory test results verifying the cheese conforms with all applicable CFR standards shall be made available to the Department.

(c) Whey disposal. Disposal of whey shall be as follows:
* * * * *

(c.1) Forming containers.

(1) When lined or unlined containers are assembled and stored, it shall be done in a sanitary manner to prevent contamination.

(2) Procedures must be in place for the handling of containers between forming and filling that prevent contamination of the product contact surfaces.

(3) Preforming and assembling of pouch liners and containers shall be based on production needs and the supply rotated to limit the length of time exposed to possible contamination prior to filling.

(c.2) Filling containers. Hot fluid cheese from the cookers may be held in hotwells or hoppers to ensure a constant and even supply of processed cheese to the filler or slice former. Filler valves must effectively measure the desired amount of product into the pouch or container in a sanitary manner and cut off sharply without drip or drag of cheese across the opening. An effective system shall be used to maintain accurate and precise weight control. Damaged or unsatisfactory packages shall be removed from production, and the cheese may be salvaged into sanitary containers and added back to cookers.

(d) Packaging and repackaging. Packaging rindless cheese or cutting and repackaging all styles of bulk cheese requires a high level of sanitation to prevent the contamination of exposed product. The atmosphere of the packaging rooms, the equipment and the packaging material must be practically free from mold and bacterial contamination.

(d.1) Trimming and cleaning. The natural cheese shall be cleaned so that it is free of all nonedible portions. Paraffin and bandages as well as rind surfaces, mold or other unclean areas deemed unwholesome shall be removed.

(e) General identification. Each bulk cheese must be legibly marked with the name of the product, code or date of manufacture, vat number, officially designated code number or name and address of manufacturer. Each consumer sized container must be plainly marked with the name and address of the manufacturer, packer, or distributor, net weight of the contents, name of the product, to include the wording “raw milk” “made with raw milk,” or similar identifying language, the number of days the cheese aged, and other information that may be required.

SUPPLEMENTAL REQUIREMENTS FOR PLANTS MANUFACTURING, PROCESSING AND PACKAGING [PASTEURIZED PROCESS CHEESE] MILK PRODUCTS, TO INCLUDE ICE CREAM, FROZEN DESSERTS AND RELATED PRODUCTS

§ 59a.381. Equipment and utensils.

(a) General construction, repair and installation. The equipment and utensils used for the handling and processing of [cheese] milk products must be as specified in § 59a.304 (relating to equipment and utensils). [In addition, for certain other equipment the requirements in this section shall be met.]

(b) [Conveyors. Conveyors must be constructed of material which can be properly cleaned, will not rust, or otherwise contaminate the cheese, and shall be maintained in good repair] [Reserved].

(c) [Grinders or shredders. The grinders or shredders used in the preparation of the trimmed and cleaned natural cheese for the cookers must be adequate in size. Product contact surfaces must be of corrosion resistant material, and of a construction to prevent contamination of the cheese and to allow thorough cleaning of all parts and product contact surfaces] [Reserved].

(d) [Cookers. The cookers must be the steam jacketed or direct steam type. The cookers must be constructed of stainless steel or other equally corrosion resistant material. Product contact surfaces must be readily accessible for cleaning. Each cooker must be equipped with an indicating thermometer and a temperature recording device. Steam check valves on direct steam type cookers must be mounted flush with cooker wall, constructed of stainless steel and designed to prevent the backup of product into the steam line, or the steam line must be constructed of stainless steel pipes and fittings which can be readily cleaned. If direct steam is applied to the product, only culinary steam shall be used] [Reserved].

(e) [Fillers. The hoppers of all fillers must be covered but the cover may have sight ports. If necessary, the hopper may have an agitator to prevent buildup on side wall. The filler valves and head shall be kept in good repair, capable of accurate measurements] [Reserved].

§ 59a.382. Operations and operating procedures.

(a) [Trimming and cleaning. The natural cheese shall be cleaned free of all nonedible portions.

Paraffin and bandages as well as rind surfaces, mold or unclean areas of another part which is unwholesome or unappetizing shall be removed] [Reserved].

(b) [*Cooking the batch.* Each batch of cheese within the cooker, including the optional ingredients, shall be thoroughly commingled, the contents pasteurized at a temperature of at least 158° F and held at that temperature for at least 30 seconds. Care shall be taken to prevent the entrance of cheese particles or ingredients after the cooker batch of cheese has reached the final heating temperature. After holding for the required period of time, the hot cheese shall be emptied from the cooker as quickly as possible] [Reserved].

(c) [*Forming containers.* Containers either lined or unlined shall be assembled and stored in a sanitary manner to prevent contamination. Procedures must be in place for the handling of containers between forming and filling that prevent contamination of the product contact surfaces. Preforming and assembling of pouch liners and containers shall be kept to a minimum and the supply rotated to limit the length of time exposed to possible contamination prior to filling] [Reserved].

(d) [*Filling containers.* Hot fluid cheese from the cookers may be held in hotwells or hoppers to assure a constant and even supply of processed cheese to the filler or slice former. Filler valves must effectively measure the desired amount of product into the pouch or container in a sanitary manner and cut off sharply without drip or drag of cheese across the opening. An effective system shall be used to maintain accurate and precise weight control. Damaged or unsatisfactory packages shall be removed from production, and the cheese may be salvaged into sanitary containers and added back to cookers] [Reserved].

(d.1) Pasteurization of milk products.

(1) Milk products shall be pasteurized.

(2) HTST, UHT and BATCH pasteurization units shall be equipped with the proper controls and equipment to complete the pasteurization process. Where milk is held more than 2 hours between time of receipt or heat treatment and setting, it shall be cooled to 45° Fahrenheit or lower during the entire time period.

(d.2) Purchase of pasteurized mixes for production of milk products. Permitholders may purchase a pasteurized frozen dessert or ice cream mix from a permitted facility for further production of a milk product.

(d.3) Filling Containers.

(1) Mechanical fillers. Both gravity and vacuum type fillers shall be of sanitary design and all product contact surfaces, if metal, shall be made of stainless steel or equally corrosion resistant material. Certain evaporated milk fillers having brass parts may be approved if free from corroded surfaces and kept in good repair. Fillers shall be designed in a manner to ensure they will not contaminate or detract from the quality of the product in any way.

(2) Manual fillers. Manual filling shall be done in a sanitary manner to prevent contamination of the product contact surfaces of containers. The containers shall be kept sanitary and may not contaminate or detract from the quality of the product in any way.

(e) *Closing and sealing containers.* Pouches, liners or containers having product contact surfaces after filling shall be folded or closed and sealed in a sanitary manner, preferably by mechanical means, to [assure] ensure against contamination. Each container, in addition to other required labeling, must be coded in a manner that is easily identifiable as to date of manufacture by lot or subplot number.

(f) Freezer storage. Freezer storage shall comply with the following:

(1) The room shall be maintained at a temperature of 0° Fahrenheit or lower.

(2) Air circulation must be sufficient to preclude odors and maintain uniform storage temperatures throughout the freezer.

(g) Sampling. Milk products shall be sampled by an approved sampler and tested in accordance with § 59a.21(c) (relating to standards).

(h) Inspections. Milk product manufacturers will be inspected by the Department every 6 months.

Subchapter F. RAW MILK FOR HUMAN CONSUMPTION

§ 59a.401. Raw milk; general.

This subchapter prescribes the permitting, testing and inspection requirements that are applicable to persons seeking to sell raw milk and raw milk butter for human consumption.

§ 59a.402. Raw milk; prohibitions.

(a) *Sale of raw milk without permit.* A person may not sell raw milk for human consumption without having a current raw milk permit issued by the Department. The term "sell" includes the selling, exchanging, delivering or having in possession, care, control or custody with intent to sell, exchange, or deliver or to offer or to expose for sale. The term "sell" also includes selling, exchanging or delivering to a consumer who is a member of a "buyer's club," cow herd share agreement or other type of membership purchasing group.

(b) *Actions authorized under a raw milk permit.*

(1) A raw milk permit authorizes the permitholder to lawfully produce and sell (within this Commonwealth) raw whole milk for human consumption. [It also authorizes the permitholder to obtain an additional permit, issued by the Department under authority of 21 CFR Part 133 (relating to cheese and related cheese products), authorizing the sale of cheese manufactured from raw milk if all of the following apply:

(1) The cheese is a standardized cheese identified in 21 CFR Part 133, Subpart B (relating to requirements for specific standardized cheese and related products).

(2) The standards for that cheese allow for it to be manufactured from raw milk.] The permit only authorizes the sale of raw milk that has been produced by the permitholder.

(2) A raw milk permitholder may obtain an additional permit, issued by the Department, authorizing the production and sale of raw milk butter manufactured from raw milk if that raw milk butter is produced in compliance with the supplemental requirements for plants manufacturing, processing and packaging butter and related products presented in §§ 59a.361, 59a.362 and 59a.363 (relating to rooms and compartments; equipment and utensils; and operations and operating procedures) and any other provision of this chapter relating to the production of butter, other than a provision or requirement relating to pasteurization under § 59a.7 (relating to pasteurization standards). The additional permit only authorizes the sale of raw milk butter that has been manufactured by the permitholder from raw milk that has been produced by the permitholder.

(c) *Compliance with testing and documentation requirements.* A person may not sell raw milk **or raw milk butter** for human consumption without being in compliance with the testing and documentation requirements of this section.

§ 59a.404. Requirements for the issuance of a raw milk permit.

* * * * *

(e) *Sampling and testing.*

(1) *New raw milk permits.* An applicant for a new raw milk permit shall demonstrate its ability to produce raw milk for human consumption through the following process:

(i) The applicant shall have an approved sampler draw three separate samples of commingled milk from the bulk tank. The samples shall be drawn at least 7 days apart, and be taken on an unannounced basis.

(ii) Each of these three samples described in subparagraph (i) shall be submitted to **and tested and analyzed by** a Pennsylvania-approved dairy laboratory [**or the Department for analysis**], **official laboratory, or other laboratory meeting the requirements of § 59a.5 (relating to Standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results).**

* * * * *

§ 59a.405. Sanitation.

A raw milk permitholder shall maintain and operate the subject dairy operation in compliance with the same sanitation and handling standards that are applicable to the production of milk for pasteurization, as set forth in § 59a.19 (relating to standards for Grade “A” milk for pasteurization, ultra-pasteurization or aseptic processing) except to the extent any of those provisions are inconsistent with this subchapter. The provisions of the Grade “A” PMO, in particular the *Standards for Grade “A” Raw Milk for Pasteurization, Ultrapasteurization or Aseptic Processing* and section 7[**, regarding**] (relating to standards for Grade “A” milk and milk products), are incorporated by reference as regulations authorized under the act, to the extent they do not conflict with the act or this subchapter. This includes the items listed under the referenced Grade “A” PMO provisions, including the following:

* * * * *

§ 59a.408. Regular testing of raw milk and raw milk butter for human consumption.

(a) *Responsibility.* A raw milk **or raw milk butter** permitholder shall be responsible to arrange for the regular sampling and testing required with respect to the raw milk **and raw milk butter** permit, and to pay for this testing.

(b) *Testing laboratories.* Raw milk or **raw milk butter** samples submitted for testing shall be analyzed at [**an official laboratory or**] a Pennsylvania-approved dairy laboratory, **official laboratory, or other laboratory meeting the requirements of § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results).**

(c) [*Testing*] **Raw milk and raw milk butter testing schedule and standards.** A **person holding a** raw milk [**permitholder**] **permit or raw milk butter permit, or both,** shall coordinate the testing of raw milk **and raw milk butter** for human consumption on the following schedule, and the raw milk **and raw milk butter** samples must meet the following standards:

Raw Milk Testing Schedule and Standards

<i>Required Action Interval</i>	<i>Type of Action or Test Required</i>	<i>Standard</i>
At all times	Maintain raw milk temperature in accordance with raw milk temperature standards.	Raw milk shall be cooled to 40° F (4° C) or less within 2 hours after milking, provided that the blend temperature after the first and subsequent milking does not exceed 50° F (10° C).
At least twice each month, in conjunction with the tests for coliform count and for the presence of drugs (including growth inhibitors), described in this subsection	Bacterial count	Bacteria may not be present in excess of 20,000 cfu per milliliter. <i>Note:</i> Tested in conjunction with a drug residue/inhibitory substance test.

<i>Required Action Interval</i>	<i>Type of Action or Test Required</i>	<i>Standard</i>
At least twice each month, in conjunction with the tests for bacterial count and for the presence of drugs (including growth inhibitors), described in this subsection	Coliform count	Coliform may not exceed 10 cfu per milliliter. <i>Note:</i> Tested in conjunction with a drug residue/inhibitory substance test.
At least twice each month	Somatic cell count	The somatic cell count may not exceed [750,000/milliliter] 500,000/milliliter (1,500,000/ml for [goat] goat/sheep milk).
At least twice each month, in conjunction with the tests for bacterial count and for coliform count, described in this subsection	Test for presence of drugs (including growth inhibitors)	There may be no positive results for drug residue, using drug residue detection laboratory techniques referenced in the current Grade "A" [Pasteurized Milk Ordinance] PMO developed by the United States Department of Health and Human Services, Food and Drug Administration.
Once every 6 months	From a sample drawn from the bulk tank, test for presence of the following pathogenic bacteria: <i>Salmonellae</i> , <i>Listeria monocytogenes</i> , <i>Camphylobacter</i> and <i>E. Coli</i> 0157:H7	There may be no pathogenic bacteria present.

(d) Raw milk butter testing schedule and standards. In addition to the raw milk used for raw milk butter meeting the requirements of the testing schedule and standards in subsection (c), a raw milk butter permitholder shall coordinate and ensure the testing of raw milk butter every 6 months for bacterial count, coliform, and yeast and mold count. The product shall meet the most current microbiological standards outlined in 7 CFR 58.345 (relating to butter). Current standards include:

- (1) Bacterial count not exceeding 100 cfu per gram.**
- (2) Coliform count not exceeding 10 cfu per gram.**
- (3) Yeast and mold count not exceeding 20 cfu per gram.**

§ 59a.409. Violations of raw milk testing standards.

* * * * *

(d) *Disease-producing organisms.* If a raw milk sample tests positive for the presence of pathogenic bacteria or other disease-producing organisms such as *Salmonellae*, *Listeria monocytogenes*, *Camphylobacter* or *E. Coli* 0157:H7, the raw milk permitholder shall do the following:

- (1) Immediately cease the sale of raw milk for human consumption.
- (2) Investigate and determine the cause of the contamination, report the result of that investigation to the Department, and correct that cause of contamination.
- (3) Wait at least 2 days from the cessation of raw milk sales, and then have an approved sampler collect a sample and submit it to a Pennsylvania-approved dairy laboratory, **official laboratory, or other laboratory meeting the requirements of § 59a.5 (relating to standards for Pennsylvania-approved dairy labora-**

tories, official laboratories and other laboratories; reports of results) to be tested for the presence of pathogenic bacteria.

(4) Following the initial sampling described in the preceding requirement, have an approved sampler collect an additional sample, at least 1 day after the previous sample **and with an empty tank between samples**, and submit it to a Pennsylvania-approved dairy laboratory, **official laboratory, or other laboratory meeting the requirements of § 59a.5** for testing for the presence of pathogenic bacteria.

(5) Refrain from selling raw milk for human consumption until and unless two consecutive tests, from samples drawn at least 1 day apart **and with an empty tank between samples**, show that raw milk produced at the dairy operation that is the subject of the raw milk permit is free from disease-producing organisms, and the Department reviews these test results and approves the resumption of raw milk sales.

(e) Raw milk butter not meeting testing standards. When two or more raw milk butter samples exceed the microbiological limits referenced in § 59a.408(d), the permitholder must cease production of the raw milk butter until the permitholder can demonstrate, through additional sample testing on two different production dates, that the raw milk butter meets the microbiological standards referenced in § 59a.408.

§ 59a.411. Label content review by the Department.

(a) *Raw milk and packaged raw milk butter in containers owned by the raw milk permitholder.*

(1) *General label statements.* If raw milk **or raw milk butter** for human consumption is prepackaged for sale in containers that are owned by the raw milk permitholder, **and where applicable the raw milk butter permitholder**, the labeling on these containers and caps shall

be submitted to the Department and approved by the Department prior to use in commerce. The container must be labeled as raw milk or raw milk butter, comply with § 59a.14 (relating to labeling: bottles, containers and packages of milk, milk products or manufactured dairy products), and at a minimum include the fluid volume, for raw milk, or the net weight, for raw milk butter, as well as the name and address of the distributor or producer, the raw milk permit number under which the raw milk was produced, and for raw milk butter, the additional raw milk butter permit number under which the raw milk butter was produced, and the words “Keep Refrigerated.” It may not be misbranded or contain any false or misleading statements. The Department will, within 10 business days of receiving a complete application for label approval, mail the applicant its written approval or denial of the label.

(i) If the application is denied, the written denial will set forth the basis for denial and afford the applicant notice and opportunity for an administrative hearing on the denial.

(ii) If the application is granted, the written approval will contain a copy of the label and assign a unique serial number to each label approved under the application. The Department will retain copies of these approvals.

(2) *Consumer advisory for raw animal-derived foods that have not been processed to remove pathogens.* In addition to the information in paragraph (1), the label must contain a consumer advisory statement to notify consumers of the increased risks (particularly to certain highly susceptible populations) associated with the consumption of raw animal-derived foods that have not been processed to remove pathogens. An acceptable notice would be as follows: Raw milk [has] and raw milk butter have not been processed to remove pathogens that can cause illness. The consumption of raw milk or raw milk butter may significantly increase the risk of foodborne illness in persons who consume it—particularly with respect to certain highly-susceptible populations such as preschool-age children, older adults, pregnant women, persons experiencing illness, and other people with weakened immune systems.

(3) *Label requirement: raw milk dating.*

(i) *Requirement.* The cap of the raw milk container, or the container itself, must be conspicuously and legibly marked in a contrasting color with the designation of the [“sell-by” date—] “sell by” or “best by” date.

(A) *Sell by date.* A “sell by” date shall consist of a designation of the month and day of the month after which the raw milk may not be sold or offered for sale [. The designation may be numerical—such as “8-15”—or with the use of an abbreviation for the month, such as “AUG 15” or “AU 15.” The], whether expressed in standard fashion (such as “August 15”), numerically (such as “8-15”) or with use of an abbreviation (such as “AUG 15” or “AU 15”) and either the words “Sell by” or “Not to be sold after” must precede the designation of the date, or the statement “Not to be sold after the date stamped above” must appear legibly on the container. This designation of the date may not exceed 17 days beginning after midnight on the day on which the raw milk was produced.

(B) *Best by date.* A “best by” date shall consist of designation of the month and the day of the month, in the same format as required in clause (A),

established by the permitholder as a product quality guideline and the words “Best By,” “Best if Consumed By” or “Best if Used By” preceding that designation.

(ii) *Prominence of [sell-by] sell by or best by date on label.* The [sell-by] sell by or best by date must be separate and distinct from any other number, letter or intervening material on the cap or container.

(iii) *Prohibition.* Raw milk may not be sold or offered for sale for human consumption [if the raw milk is sold or offered for sale] after the [sell-by] sell by or best by date designated on the container.

(iv) *Monitoring by the permitholder and the Department.*

(A) *Department.* The Department will periodically sample containers of raw milk and raw milk butter for human consumption that is in the possession of the raw milk permitholder or a distributor. This sampling may occur at any time before the raw milk, or raw milk butter is delivered to the customer. [The Department will take at least one sample of raw milk from each raw milk permitholder each calendar year.]

(A.1) *Permitholders.* The permitholder shall, at intervals of no greater than 12 months, sample and test in accordance with § 59a.15(e)(2) (relating to labeling: milk dating).

(B) The samples described in [clause (A)] clauses (A) and (A.1) shall be analyzed by [the Department or] a Pennsylvania-approved dairy laboratory, official laboratory, or other laboratory meeting the requirements of § 59a.5 (relating to standards for Pennsylvania-approved dairy laboratories, official laboratories and other laboratories; reports of results), to determine whether bacterial and coliform test results exceed the bacterial limits for raw milk described in the Raw Milk Testing Schedule and Standards in § 59a.408 (relating to regular testing of raw milk and raw milk butter for human consumption) prior to the expiration of the [sell-by] sell by or best by date designated on the raw milk container.

(B.1) When any sample pulled under clause (A.1) exceeds the bacterial or coliform limits for raw milk described in § 59a.408, the permitholder shall resample at the next production date, or within 10 days, following receipt of test results, for retesting as described in clause (B).

(C) When two or more samples, pulled under clause (A) or clause (A.1), demonstrate a raw milk permitholder cannot produce raw milk for human consumption that remains consistently within the bacterial and coliform limits referenced in clause (B) through the [sell-by] sell by or best by date marked on the container, the Department will require a raw milk permitholder to use a shorter [sell-by] sell by or best by date specified by the Department. The Department will calculate this revised [sell-by] sell by or best by date so that bacterial growth in the raw milk will not exceed the referenced bacterial limits within that [sell-by] sell by or best by period if the raw milk is maintained in accordance with the temperature requirements for raw milk in the Raw Milk Testing Schedule and Standards in § 59a.408.

(D) A raw milk permitholder may submit samples to [the Department] a Pennsylvania-approved dairy

laboratory, official laboratory, or other laboratory meeting the requirements of § 59a.5 for analysis to obtain approval to resume a specific [sell-by] sell by or best by period for the raw milk sampled. The Department will approve resumption of a specific [sell-by] sell by or best by period when analysis of [a sample] at least three samples from 3 different production days demonstrates that bacterial growth in the raw milk will not exceed the referenced bacterial and coliform limits within that [sell-by] sell by or best by period if the raw milk is maintained in accordance with the temperature requirements for raw milk in the Raw Milk Testing Schedule and Standards in § 59a.408.

(b) *Raw milk in customer-owned containers.*

(1) *Container labeling and caps.* If raw milk for human consumption is packed for sale in containers that are owned by the consumer, Departmental review of the labeling on the container or caps is not required. The Department recommends, but does not require, that customer owned containers be clean, food-grade containers of 1 gallon or smaller capacity.

(2) *Consumer advisory.* If raw milk for human consumption is packed for sale in containers that are owned by the consumer, the raw milk permit holder shall post a consumer advisory at the location where the customer owned containers are filled, or in close proximity to that location, to provide consumers notice of increased risks associated with the consumption of raw animal-derived foods that have not been processed to remove pathogens by certain highly susceptible populations. An acceptable notice would be as described in subsection (a)(2).

(c) Label statements for raw milk butter. Raw milk butter shall be packaged or wrapped prior to sale with a label identifying the name and address of the distributor or producer, date of manufacture code, and the raw milk and raw milk butter permit number under which the raw milk butter was produced and shall conform with the labeling requirements of subsection (a)(1) and (2).

§ 59a.412. Inspection, sampling and testing by the Department.

A raw milk permit holder, and a raw milk butter additional permit holder, shall allow the Department and its personnel to inspect the dairy operation that is the subject of the permit, review records, draw samples, conduct tests and take other actions necessary to the Department's performance of its responsibilities under the act, the Food Safety Act or any other applicable statute or regulation. If a raw milk or raw milk butter permit holder fails to allow this inspection and sampling by the Department, the Department may take steps to revoke or suspend the raw milk permit or the raw milk butter permit, or both.

§ 59a.413. Enforcement: Suspension or revocation of a raw milk or raw milk butter permit.

(a) *General.* The Department may take action to suspend or revoke a raw milk permit or raw milk butter permit, or both, if a permit holder does not comply with the act or this chapter.

(b) *Procedure.*

(1) The act requires that the Department provide a raw milk or raw milk butter permit holder with at least 5 days advance written notice of a [raw milk permit] revocation or suspension of their raw milk permit or raw milk butter permit, or both. This written notice

will be sent by certified mail. The Department may supplement the notice by providing the permit holder the written notice by personal service or other means. The written notice must specify the procedure by which the permit holder may request an administrative hearing and the 5-day window within which a written request for an administrative hearing shall be submitted to the Department.

(2) If the basis for a proposed [raw milk permit] suspension or revocation of the raw milk permit or raw milk butter permit, or both, is that pathogenic bacteria have been detected in the raw milk or raw milk butter, or foreign substances are present in the raw milk or raw milk butter, or any condition exists when consumption of raw milk or raw milk butter produced and sold prior to revocation or suspension of the raw milk or raw milk butter permit may pose a threat to the health or safety of those persons who consume it, the Department will immediately notify the raw milk or raw milk butter permit holder, or both, and request that it voluntarily cease all sales of raw milk, raw milk butter, or both—without regard to whether the [raw milk] permit holder has received the 5 days advance written notice required under the act. The requirements of this paragraph do not alter the obligation of a raw milk or raw milk butter permit holder to cease sales of raw milk or raw milk butter, or both, for human consumption if required under § 59a.409 (relating to violations of raw milk testing standards).

(i) If a raw milk permit holder or raw milk butter permit holder, or both, complies with a request that it voluntarily cease raw milk sales, the Department will consider this cooperation a mitigating factor as it determines any penalty or sanction relating to the violation.

(ii) If a raw milk permit holder or raw milk butter permit holder, or both, does not choose to comply with a request that it voluntarily cease [raw milk sales,] the sale of raw milk or raw milk butter, or both, the Department will do the following:

(A) Apprise the Department of Health and any local health department having jurisdiction of the situation, and recommend these entities take lawful action to ensure that sales of raw milk or raw milk butter, or both, cease.

(B) Consult with the Office of Attorney General regarding whether it should institute legal action to obtain an injunction to prohibit the [raw milk] sales of raw milk or raw milk butter, or both.

(C) Arrange for an administrative hearing before a hearing examiner, if the raw milk permit holder or raw milk butter permit holder has been afforded written notice and opportunity for a hearing on the proposed suspension or revocation and requests a hearing on the proposed permit suspension or revocation.

(D) Issue a final adjudication, ordering the suspension or revocation, if the raw milk permit holder or raw milk butter permit holder, or both, does not request a hearing on the proposed permit suspension or revocation.

(E) Recommend to the raw milk permit holder or raw milk butter permit holder, or both, that it inform its customers that it has been asked by the Department to voluntarily cease [raw milk sales] the sale of raw milk or raw milk butter, or both, and provide these customers the basis for the Department's request.

(c) *Ownership of raw milk permit or raw milk butter permit.* A raw milk permit or a raw milk butter

permit is and remains the property of the Department even when it is in the physical custody of the permitholder. If a raw milk permit **or a raw milk butter permit, or both**, is suspended or revoked, and the permitholder has been afforded written notice and opportunity for a hearing on the proposed suspension or revocation, the person in possession of the raw milk permit **or raw milk butter permit, or both**, shall immediately return or surrender that raw milk permit **or raw milk butter permit, or both**, to the Department. In the case of a permit suspension, the Department will promptly return the raw milk permit **or raw milk butter permit, or both**, to the permitholder at the end of the suspension period.

Subchapter G. MISCELLANEOUS PROVISIONS

§ 59a.501. Interrelatedness with **the Retail Food Facility Safety Act and the Food Safety Act**.

The subject matter of the act and this chapter overlaps with the subject matter of **3 Pa.C.S. §§ 5701—5714 (relating to retail food facility safety) and the Food Safety Act [(repealed)]** and the **applicable** regulations promulgated under **the** authority of **[that] each statute which is codified in [Chapter 46 (relating to food code)] Chapters 37—57 and this chapter**. This chapter does not restrict, prevent or limit the Department or any other government entity from exercising authority under **3 Pa.C.S. §§ 5701—5714 or the Food Safety Act or [its] their** attendant regulations with respect to milk, milk products, manufactured dairy products or any other foods.

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STATE BOARD OF EDUCATION

[22 PA. CODE CH. 4]

Academic Standards and Assessment

The State Board of Education (Board) proposes to amend Chapter 4 (relating to academic standards and assessment) by amending §§ 4.11—4.13, 4.21 4.23 and 4.51a and adding Appendix C-1, Appendix D-1, Appendix E-1 and Appendix F to read as set forth in Annex A. The Board further is proposing that certain provisions of Appendix C and Appendix D and the entirety of Appendix B and Appendix E expire as set forth in Annex A. The Board is acting under the authority of sections 290.1, 1551, 2603-B and 2604-B of the Public School Code of 1949 (24 P.S. §§ 2-290.1, 15-1551, 26-2603-B and 26-2604-B).

Purpose

Chapter 4 sets forth requirements for State academic standards and assessments for public schools across the Commonwealth, including school districts, area career and technical schools (ACTS), charter schools and cyber charter schools. This proposed rulemaking seeks to update the existing academic standards for Career Education and Work (CEW), Family and Consumer Sciences (FCS) and Economics (ECON). Consistent with the act of December 13, 2023 (P.L. 311, No. 35) (Act 35 of 2023) this proposed rulemaking further seeks to establish stand-alone academic standards for Personal Finance. This proposed rulemaking also shifts the grade level at which the Commonwealth's elementary-level science assessment

is administered, requires school entities to post various strategic plans on their publicly accessible web sites and makes numerous clarifying and technical amendments.

Background

The Board's Standing Committee on Academic Standards/Chapter 4 (Committee) is designated responsibility for leading efforts on regulations governing State academic standards and assessments. This responsibility includes overseeing reviews of the regulations in Chapter 4 and developing recommendations pertinent to these policies for consideration by the Board. Part of the responsibility designated to the Committee includes leading periodic reviews of the academic standards in Chapter 4 as called for in § 4.12(i) (relating to academic standards). Periodic reviews of State academic standards are intended to determine if the standards are appropriate, clear, specific and challenging.

On September 14, 2022, the Committee held a public meeting to determine which academic standards next would be opened for a periodic review. The Committee recommended to the Board that the academic standards for CEW, FCS and ECON be called up for review. The existing ECON and FCS standards took effect on January 11, 2003, and the existing CEW standards took effect on July 8, 2006. The Committee recommended that these standards be reviewed in their totality with a focus on whether the existing standards adequately address concepts related to financial literacy.

To support this work, the Board requested that the Department of Education (Department) convene advisory committees of educators and other content experts to conduct an initial review of the existing academic standards for CEW, ECON and FCS, and to consider whether the standards adequately addressed what students should know to be financially literate. The Committee tasked the Department to consult with these external standards review committees to develop recommendations on whether the existing standards should be revised and, if so, to formulate draft amendments to the standards for the Committee's consideration.

In the fall of 2022, educators and other content experts were invited by the Department to apply to serve on the advisory committees. Nominees to serve on these standards review committees were presented to the Committee for approval at its public meeting on January 11, 2023. An opportunity for public comment on the nominees was made available at the meeting prior to the Committee's approval of the standards review committees' membership. At the direction of the Committee, the Department later added four additional members to the standards review committees to provide greater geographic representation from Philadelphia and from this Commonwealth's Northern Tier.

The standards review committees met throughout the winter and spring of 2023 to develop recommendations in response to the charge presented to them. Meetings were held on February 22, 2023, March 9, 2023, March 20, 2023, April 3, 2023 (whole group session) and April 20, 2023 (whole group session). During these sessions, the standards review committees developed recommendations for updating the existing standards for CEW, ECON and FCS. The standards review committees also reached consensus to recommend the establishment of a stand-alone set of academic standards for Personal Finance.

To provide further guidance surrounding the recommendation to establish new stand-alone standards for Personal Finance, another external stakeholder advisory committee

was formed to draft recommended Academic Standards for Personal Finance. That advisory committee was composed of some members of the teams that conducted an initial review of the CEW, ECON and FCS standards, along with additional members who held professional experience in personal finance. The Personal Finance Standards Committee met on May 31, 2023, and on June 1, 2023, in Harrisburg, and met again on June 15-16, 2023, at the Federal Reserve Bank in Philadelphia.

To inform their recommendations, the standards review committees examined standards from National organizations and exemplary standards from other states to identify strengths and gaps in the Commonwealth's current standards. The CEW standards review committee utilized the following resources as part of its evaluation: the National Business Education Association's National Standards for Business Education, North Dakota Career Development Content Standards, Nebraska Standards for Career Readiness and the Nevada State Board for Career and Technical Education's Employability Skills for Career Readiness Standards.

The CEW standards review committee recommended reorganizing the CEW standards into four new strands that reflected combining strands in the existing CEW standards and adding new strands to reflect components of the National and other state standards that the committee used in conducting its review. Recommended updates included reframing the existing strand for Career Awareness and Preparation to focus on Career Awareness and Exploration, reframing the existing strand for Career Retention and Advancement to address Personal Interests and Career Planning, and reframing the existing strand for Entrepreneurship to address Growth and Advancement.

The CEW standards review committee also proposed adding a new strand for Employability Skills that would replace the strand in the current CEW standards for Career Acquisition (Getting a Job). Employability skills address qualities that employers often look for in candidates in addition to academic or technical qualifications. These skills are not specific to a particular job. Rather, they embody foundational skills that are transferable across workplace settings. Competencies for students addressed within the recommended new strand for Employability Skills included critical thinking and problem solving, oral and written communication, teamwork and collaboration, technology, time management and entrepreneurial mindset.

The ECON standards review committee utilized a similar approach in reviewing the Commonwealth's existing ECON standards and identifying strengths and gaps in the standards. The standards review committee utilized the following resources to inform its work: the Voluntary National Content Standards in Economics from the Council for Economic Education, Delaware's K-12 Economic Standards, Indiana's K-12 Economic Standards and Minnesota's K-12 Economic Strand of its Social Studies Standards. Stemming from its analysis, the ECON review committee recommended four new strand topics under which existing standards and recommended new standards would be organized. The existing ECON standards include five strands for: Economic Systems, Markets and the Functions of Governments, Scarcity and Choice, Economic Interdependence and Work and Earnings. The review committee recommended transforming the standards to be arranged under the following strands: Fundamentals of Economics, Microeconomics, Macroeconomics, and Money and Financial Institutions.

The FCS standards review committee also consulted other National and state-level resources to inform its work. The review committee recommended updates to the Commonwealth's FCS standards consistent with the language and formatting of the Family and Consumer Sciences National Standards 3.0, a resource from the National Association of State Administrators of Family and Consumer Sciences and consistent with National standards of the Family, Career and Community Leaders of America. The Pennsylvania Learning Standards for Early Childhood also were used by the standards review committee to inform the development of FCS standards for the K-2 grade band. These Commonwealth early childhood standards are research-based according to age and development and address a continuum of learning from the infant and toddler stages through second grade. The FCS standards review committee also consulted FCS standards from Wisconsin and New Hampshire and used these other exemplary state standards as a point of reference when considering revisions or additions to the Commonwealth's existing standards and in considering whether recommended revisions or additions were aligned in a coherent manner.

The FCS standards review committee supported restructuring the Commonwealth's current standards. The existing FCS standards include four strands for: Food Science and Nutrition; Financial and Resource Management; Child Development and Balancing Family, Work and Community Responsibility. The standards review committee recommended restructuring the FCS standards under the following six strands: Food Science and Nutrition; Physical Resource Management; Human Development, Family, and Relationships. Education and Early Childhood Development; Personal Finance and Consumer Skills and Career, Community and Family Connections. For the recommended standards applicable to the 6-8 and 9-12 grade bands, the FCS standards review committee also recommended adding a career-focused standard within each strand as a means of incorporating employability skills within the standards.

The standards review committees further recommended that the Board adopt standalone academic standards for Personal Finance. While the standards review committees recognized that content related to personal finance is embedded throughout the existing CEW, ECON and FCS standards, the standards review committees determined that standalone standards would benefit students by creating greater alignment and consistency in how this content is taught. A July 2023 report containing recommendations from the standards review committees found that personal financial literacy "is a key aspect of preparing students for meaningful engagement in postsecondary education, workforce training, and career pathways and as responsible, involved citizens." The standards review committees concluded that, for this reason, a separate standalone set of standards should be added to Chapter 4.

To provide further guidance on the recommendation to establish new standalone standards, another external committee of educators and content experts was convened to draft recommended academic standards for Personal Finance. The Committee reviewed resources from other states and National organizations to inform its work, including: the National JumpStart Standards, Wisconsin's Standards for Personal Finance, Washington's Standards for Personal Finance and Delaware's Standards for Personal Finance. The Committee also reviewed Pennsylvania's Instructional Framework for Personal Finance. This resource was developed by the Department in accordance with the act of November 17, 2010 (P.L. 996, No. 104) to

provide economic and personal financial literacy materials to educators in this Commonwealth's public and private schools. Stemming from this review, the committee developed recommended standards for Personal Finance that include competencies organized under the following six strands: Personal Finance Fundamentals, Income, Spending, Saving and Investment, Risk and Insurance and Credit.

The standards review committees further recommended a new organizational structure that would be applied consistently across the CEW, ECON, FCS and Personal Finance standards. The existing academic standards for CEW include standards for grade 3, grade 5, grade 8 and grade 11. The existing academic standards for ECON and for FCS include standards for grade 3, grade 6, grade 9 and grade 12. The standards review committees recommended that updates to these existing standards and new standards for Personal Finance be organized in grade bands covering Kindergarten—grade 2, grades 3—5, grades 6—8 and grades 9—12. The standards review committees concluded that organizing the standards around these four grade bands provides flexibility to school entities in determining how best to meet each standard, when to include particular courses and how to best support the needs of individual students. The standards review committees further supported reorganizing the standards in grade bands as this structure is used frequently in National standards and standards adopted by other states, but, at present, is applied inconsistently in the Commonwealth's academic standards.

These recommendations for updating the existing academic standards for CEW, ECON and FCS and for establishing new academic standards for Personal Finance were presented by the Department to the Committee at a public meeting on July 12, 2023, and were shared with the Board at its public meeting later that same day. At its meeting on July 12, 2023, the Committee also reviewed in detail unrelated draft amendments to other provisions within Chapter 4 and determined that it would consider those other draft amendments in tandem with the recommended revisions to academic standards. The other draft amendments to Chapter 4 reviewed by the Committee addressed the grade level at which the Commonwealth's elementary-level science assessment is administered, posting requirements for the various plans named in § 4.13 (relating to strategic plans) after they are adopted as final and numerous clarifying and technical amendments. An opportunity to offer public comment on these items and on the academic standards recommendations was made available before both the Committee and the Board at their meetings on July 12, 2023. A report containing the standards review committees' academic standards recommendations and an Annex presenting the other unrelated draft amendments to Chapter 4 were made publicly accessible on the Board's web site.

The Committee held public hearings in Harrisburg (September 13, 2023) and in Allegheny County (September 25, 2023) to gather feedback from stakeholders on the academic standards recommendations and on its other draft amendments to Chapter 4. A third public hearing scheduled for September 14, 2023, in Montgomery County was canceled due to lack of registrations to participate in the event. The Committee also accepted written testimony through the end of September 2023 from individuals who were unable to attend one of its hearings in person.

Testimony submitted by stakeholders was made available to all Board members and was also made available

to the standards review committees that developed initial recommendations on updating the academic standards. At the request of the Committee, those standards review committees reconvened on October 24 and 25, 2023, to review this additional stakeholder input and to provide their professional judgment on whether the recommended standards should be further revised in response to the testimony received from interested stakeholders. The Department presented a report of the standards review committees' responses to stakeholder feedback at the Committee's next public meeting on November 8, 2023. An opportunity for public comment was made available at that meeting, and the standards review committees' report was made publicly accessible on the Board's web site.

As part of their continued efforts in advising the Committee on this work, the standards review committees addressed concerns expressed by stakeholders pertaining to the length and complexity of the recommended Personal Finance standards. In response to these concerns, the standards review committees sought to identify and eliminate areas of duplication across the recommended CEW, ECON and FCS standards updates and the recommended Personal Finance standards. The standards review committees noted that they recommended retaining a concept related to personal finance that may overlap with another standard if the concept was necessary for the focus lens of the discipline. The standards review committees identified the following focus lenses to guide their decision-making in this regard: Personal Finance—individual; CEW—individual planning of educational and professional choices; FCS—resource management for the family and home; and ECON—markets and societal.

The report from the standards review committees identifies additional areas where the standards review committees made refinements to their initial recommendations in response to stakeholder input and where the standards review committees disagreed that further modifications were necessary. Among the refinements, the standards review committees made edits to their initial recommendations to improve clarity, ensure the standards use straightforward language, ensure the standards are developmentally appropriate and, if necessary, to ensure the standards are provided for a more sophisticated progression of knowledge and skills.

The Board's work on these academic standards was further directed by the enactment of Act 35 of 2023. Existing language in section 1551 of the Public School Code of 1949 (24 P.S. § 15-1551) requires the Department to provide resources and curriculum materials related to economic education and personal financial literacy to public and private schools in this Commonwealth. Historically, these materials were to be aligned with the State academic standards for ECON, FCS and CEW as promulgated by the Board in Chapter 4. With the adoption of Act 35 of 2023, the General Assembly amended section 1551 of the Public School Code of 1949 to require the Department to provide model curriculum materials pertaining to economic education and personal financial literacy that are aligned to State academic standards for Personal Financial Literacy as established by the Board in Chapter 4. Act 35 of 2023 also directs the Department to review and update its existing model curriculum materials and other resources no later than the beginning of the 2025-2026 school year and within 1 year of any revision of the State academic standards for Personal Financial Literacy promulgated by the Board.

In Act 35 of 2023, the General Assembly further directed the Board to review the existing State academic

standards for ECON, FCS and CEW and to revise the standards as necessary to implement the amendments set forth in Act 35 of 2023. Finally, in Act 35 of 2023, the General Assembly established a new requirement for high school students to complete a mandatory course in personal financial literacy with the course valued at least one-half credit or half of a full credit. Both public school entities and nonpublic schools must provide the required course beginning in the 2026-2027 school year.

The Committee reconvened on January 11, 2024, to consider the stakeholder feedback it gathered during the fall of 2023, along with the additional perspectives on that feedback provided by the standards review committees. The Committee also reviewed Act 35 of 2023 and discussed considerations for crafting a proposed rulemaking responsive to the directives of the General Assembly in Act 35 of 2023. In deliberating on input from stakeholders and on Act 35 of 2023, the Committee expressed support for adopting the standards review committees' recommendations for updating the CEW, ECON and FCS standards. The Committee noted that the process conducted to review and update the standards aligned with the charge made to the Board in Act 35 of 2023 to review those standards.

The Committee further expressed support for adopting the standards review committee's recommendations for standalone Personal Finance standards. Adding standalone standards for Personal Finance to Chapter 4 is responsive to provisions in Act 35 of 2023 that direct the Department to align model curriculum to the standards as set forth in Chapter 4. The Personal Finance standards also will serve as a guidepost to which the new high school level course required by Act 35 of 2023 would be aligned.

Furthermore, the Committee found that organizing the Personal Finance standards in grade bands, as recommended by the standards review committee, is consistent with expectations for the personal financial literacy course required in Act 35 of 2023. The General Assembly set forth that students must complete the course once during grade 9, grade 10, grade 11 or grade 12. The recommended Personal Finance standards are organized in grade bands for K—2, 3—5, 6—8 and 9—12. Structuring the standards to include a 9—12 grade band, rather than prescribing standards to be taught at a particular grade level, aligns with the flexibility envisioned in Act 35 of 2023 for the required course to be completed at any point during a student's high school career and provides school entities and students with latitude to determine when the coursework best fits into their schedules.

The Committee also discussed time frames for implementation of updates to the academic standards. The Committee determined that new Personal Finance standards should take effect with the 2026-2027 school year for consistency with the year that Act 35 of 2023 requires school entities to begin offering a personal financial literacy course to high school students. The Committee further determined that updates to the CEW, ECON and FCS standards also should take effect with the 2026-2027 school year to align with implementation planning efforts.

Upon conclusion of its deliberations, the Committee acted to adopt proposed amendments to Chapter 4, including updates to the academic standards for CEW, ECON and FCS, new standards for Personal Finance and other unrelated amendments to Chapter 4. The Committee's recommended amendments were considered by the Board's Council of Basic Education (Council) at a public meeting on January 11, 2024, and the Council approved

the proposed amendments to Chapter 4 as recommended by the Committee. Later that same day, the proposed amendments to Chapter 4 were approved by the Board, as recommended by the Council and the Committee. Opportunities for public comment were made available at each of the public meetings held by the Committee, the Council and the Board.

Need for the Rule

Academic standards define what students should know and be able to do at specific grade levels. They establish goals for student learning. Academic standards do not represent a particular curriculum or instructional methodology. Rather, they provide a foundation for the development of local curriculum and serve as guideposts to which local curriculum should be aligned.

This proposed rulemaking is necessary to comply with the directives set forth in Act 35 of 2023. In Act 35 of 2023, the General Assembly charged the Board with reviewing and, as necessary, updating the existing standards for CEW, ECON and FCS. Act 35 of 2023 also newly refers to standards for personal financial literacy as a component of the Board's regulations in Chapter 4 and, through this proposed rulemaking, the Board is establishing standalone standards in that content area. The adoption of standalone standards will provide for greater alignment and consistency in how this content is taught, including serving as a guidepost for the high school level personal financial literacy course that all public and private schools in this Commonwealth will be required to offer under Act 35 of 2023.

This proposed rulemaking also is responsive to § 4.12(i) in which the Board calls for the academic standards in Chapter 4 to be reviewed no sooner than every 5 years and no later than every 10 years to determine if the standards are appropriate, clear, specific and challenging. This proposed rulemaking includes revisions to the academic standards for CEW, FCS and ECON stemming from the Board's periodic review of the existing academic standards under subsection (i).

This proposed rulemaking further is necessary to align administration of the Commonwealth's elementary-level science assessment with the end-of-the-grade bands in the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology, and Engineering (Grades K—5). These standards are set to take effect with the 2025-2026 school year. Through this proposed rulemaking, the Board is seeking to shift the grade level at which the elementary-level science assessment is administered in the same year that the new standards take effect.

Finally, this proposed rulemaking is necessary to create greater transparency surrounding the various strategic plans that are adopted by public school entities under § 4.13. During roundtable discussions on gifted education that were conducted by the Board's Committee on Special and Gifted Education in 2022, stakeholders requested that school districts be required to publicly post their gifted education plans after they are approved as final as a means of improving transparency. The Committee on Special and Gifted Education recommended to the Board's Academic Standards/Chapter 4 Committee that it consider proposing an amendment to § 4.13(e) to require school districts to post gifted education plans in their final form on the district's publicly accessible web site. The Board determined that this transparency should apply to each of the plans cited in § 4.13 and should not be limited to plans for gifted education.

Summary of this Proposed Rulemaking

This proposed rulemaking would amend the following provisions in Chapter 4:

Table of contents

Academic standards that are published as appendices to Chapter 4 are proposed to be added to the table of contents for reference. The listing of standards in the table of contents reflects how the standards would be organized if proposed amendments to § 4.12 are adopted. References to Appendix A and Appendix A-1 denote former standards that previously were reserved, and references to Appendix A-2 and Appendix B-1 denote existing standards to which no amendments are proposed. The heading of Appendix B-1 is proposed to be amended to include standards currently in the Appendix that were omitted from the heading.

The Board proposes that the academic standards for Science and Technology and Environment and Ecology in Appendix B expire July 1, 2025. Expiration of these standards is consistent with existing language in § 4.12(a)(1)(i) and (ii) that sets forth that these standards will be in effect only through June 30, 2025. Following the sunset of the academic standards in Appendix B, academic standards related to science, environment, ecology, technology and engineering will be based on the existing standards in Appendix B-1, as established in § 4.12(a)(2)(i)—(iii).

The Board proposes that the standards for Economics in Appendix C (relating to academic standards for civics and government and economics and geography and history and the Pennsylvania core standards for reading in history and social studies and Pennsylvania core standards for writing in history and social studies) expire July 1, 2026, and be replaced with updated standards for Economics in Appendix C-1 (relating to academic standards for economics). The heading of Appendix C is proposed to be amended to include standards currently in the Appendix that were omitted from the heading. The Board proposes that the standards for Family and Consumer Sciences in Appendix D (relating to academic standards for arts and humanities and health, safety and physical education and family and consumer sciences) expire July 1, 2026, and be replaced with updated standards for Family and Consumer Sciences in Appendix D-1 (relating to academic standards for family and consumer sciences). The Board further proposes that the academic standards for Career Education and Work in Appendix E (relating to academic standards for career education and work) expire on July 1, 2026, and be replaced with updated standards for Career Education and Work in Appendix E-1 (relating to academic standards for career education and work). Finally, the Board proposes to add new standards for Personal Finance in Appendix F (relating to academic standards for personal finance).

§ 4.11. Purpose of public education

Provisions under § 4.11 (relating to purpose of public education) address the purpose of public education and its relationship with the standards in § 4.12. Section 4.11(g) lists the standards in which public schools must provide instruction. The Board is proposing to add a reference to Personal Finance standards to this paragraph for completeness as new standards in that content area are proposed to be added under § 4.12.

The Board also is proposing to amend § 4.11(g) to correct the title of the standards for Family and Consumer Sciences to make the term “sciences” plural. The title of these existing standards is published correctly

using the plural noun throughout Appendix D, but is incorrectly referred to in the singular in § 4.11(g). The Board is proposing to make this same technical correction to the title of the standards in §§ 4.12(a)(7), and 4.22(c)(11) and 4.23(c)(9) (relating to middle level education; and high school education).

§ 4.12. Academic standards

The Board is proposing, in § 4.12(a), to adopt updated standards for ECON in Appendix C-1, updated standards for CEW in Appendix E-1 and updated standards for FCS in Appendix D-1. In § 4.12(a)(10), the Board further is proposing to establish standalone academic standards for Personal Finance in Appendix F. Proposed updates to the ECON, CEW and FCS standards and the proposed standards for Personal Finance would apply on and after July 1, 2026. Existing standards for ECON in Appendix C, FCS in Appendix D and CEW in Appendix E are proposed to expire on July 1, 2026.

The existing academic standards for CEW include standards for grade 3, grade 5, grade 8 and grade 11. The existing academic standards for ECON and for FCS include standards for grade 3, grade 6, grade 9 and grade 12. The Board is proposing to modify how these existing standards are organized by structuring the updated standards for CEW, ECON and FCS in grade bands covering Kindergarten—grade 2, grades 3—5, grades 6—8 and grades 9—12.

The Board is proposing to further modify how the existing CEW, ECON and FCS standards are structured by organizing the proposed updated standards under new strands. An overview of the proposed CEW standards found in Appendix E-1 explains that the proposed standards “reflect the increasing complexity and sophistication that students experience as they progress through school, focusing on the skills and continuous learning and innovation required for students to succeed in a rapidly changing workplace.” The proposed standards are organized under the following four strands: Career Awareness and Exploration, Employability Skills, Growth and Advancement, and Personal Interests and Career Planning.

Concepts within each of these strands are arranged in substrands with grade-banded standards identified across each substrand for grades K—2, 3—5, 6—8 and 9—12. The strand for Career Awareness and Exploration contains substrands for: educational requirements and opportunities; entrepreneurship; factors in career decisions; local, National and global labor market; resources in school and community, and rights of workers. The strand for Employability Skills contains substrands for: critical thinking and problem solving, oral and written communication, teamwork and collaboration, technology, time and project management and entrepreneurial mindset. The strand for Growth and Advancement contains competencies in substrands for: career growth, lifelong learning, strategic goals and work ethic. Finally, the CEW strand for Personal Interests and Career Planning contains competencies in substrands for: develop a personal brand, identify personal interests, research careers and understand a career path.

An overview of the ECON standards proposed in Appendix C-1 describes the field of Economics as being “concerned with the behavior of individuals and institutions engaged in the production, exchange, and consumption of goods and services.” The overview further emphasizes knowledge that the Board maintains all students should possess in this field—characteristics of economic systems, how markets establish prices, how scarcity and choice affect the allocation of resources, the global nature of economic interdependence and how work and earnings

impact productivity. These concepts are addressed in proposed ECON standards under the following strands: Fundamentals of Economics, Microeconomics, Macroeconomics and Money and Economic Institutions.

Standards within each of these strands are arranged in substrands with grade-banded standards identified across each substrand for grades K—2, 3—5, 6—8 and 9—12. The strand for Fundamentals of Economics contains substrands for: economic systems, fundamental economic questions, scarcity, economic choice, economic resources, marginal analysis, opportunity cost, incentives, specialization, trade, foreign trade, global interdependence and comparative advantage. The strand for Microeconomics contains substrands for: circular flow, competition, monopolies, supply and demand, economic patterns, wages, productivity, types of businesses, profit and loss and entrepreneurship. The strand for Macroeconomics contains substrands for: economic indicators, business cycles, fiscal policy, Federal budget, taxation, tax policy, economic role of government, externalities and public goods and services. The strand for Money and Economic Institutions contains substrands for: money, exchange rates, monetary policy, banking, the Federal Reserve System, nongovernmental organizations and interest rate policy.

The FCS standards proposed in Appendix D-1 emphasize the crucial role of families in shaping individual and community well-being. As stated in the overview of the proposed standards, “the standards aim to prepare students not just for personal, family, and work responsibilities but also to empower them for the challenges of living and working in a diverse, global society, fostering holistic individual development and community advancement.” The standards are organized under the following strands: Food Science and Nutrition, Resource Management, Human Development, Family and Relationships, Education and Early Childhood Development, Personal Finance and Consumer Skills and Career, Community and Family Connections.

Concepts within each of these strands are arranged in substrands with grade-banded standards identified across each substrand for grades K—2, 3—5, 6—8 and 9—12. The strand for Food Science and Nutrition contains substrands for: food supply, safety and sanitation, nutrition analysis, meal management, culinary math and measurement, culinary equipment and techniques, food science, nutrition and health, calories and energy and careers. The strand for Resource Management contains substrands for: resource sustainability, individual and family resources, housing and interior design, consumer strategies, textiles, fashion and apparel, laundering and career. The strand for Human Development, Family and Relationships contains substrands for: role of family, family life cycle, interpersonal communications, human development and well-being and careers.

Within the FCS standards, the proposed new strand for Education and Early Childhood Development contains substrands for: developmental stages, learning environments, health and safety, literacy, collaborative relationships and careers. In the act of July 8, 2022 (P.L. 620, No. 55), the General Assembly directed the Department to develop a Career and Technical Education (CTE) Program of Study in Education as an avenue for high school students who are interested in pursuing teaching as a career. The proposed addition of the strand for Education and Early Childhood Development will support instruction aligned to the Commonwealth’s new CTE Program of Study in Education.

The proposed FCS standards strand for Personal Finance and Consumer Skills contains substrands for:

consumer rights and responsibilities, financial planning and budgeting, financial resources and careers. The proposed strand for Career, Community and Family Connections contains substrands for: action plans, teamwork and leadership, role of technology and service providers.

The standalone academic standards for Personal Finance proposed in Appendix F identify competencies to support students in gaining financial literacy to manage their personal finances. The proposed standards identify competencies for students in six strands: Personal Finance Fundamentals; Income; Spending; Saving and Investing; Risk and Insurance; and Credit. Consistent with the structure of proposed updates to the CEW, ECON and FCS standards, the proposed standards for Personal Finance also are arranged in grade bands for Kindergarten—grade 2, grades 3—5, grades 6—8 and grades 9—12.

The area of Personal Finance Fundamentals further delineates standards in substrands focused on: financial goal setting and decision making, financial mindset and behaviors, financial services, financial record keeping and consumer protection. Standards that pertain to the proposed strand for Income are organized in substrands that address: sources of income, factors influencing income, self-employment and supplemental income and income and payroll taxes. Concepts related to Spending are arranged under substrands for: spending decisions, developing a budget, payment methods, major life purchases, sales and property taxes and charitable giving.

The proposed Personal Finance standards further would require instruction in Saving and Investing, with standards proposed in the areas of asset building, saving, investing and investing and tolerance. The proposed standards address concepts pertaining to Risk and Insurance in substrands for: risk identification and management, insurance and financial fraud and identify theft. Finally, the proposed standards include a strand focused on helping students to better understand credit. Related competencies are centered around substrands for: credit use and benefits, types of credit, costs of credit and credit rights and responsibilities.

The Board also is proposing to make clarifying amendments to provisions within § 4.12 that affect academic standards in other content areas. In a prior final-form rulemaking adopted by the Board and published at 44 Pa.B. 1131 (March 1, 2014), the Board adopted the Pennsylvania Core Standards for English Language Arts (ELA) and the Pennsylvania Core Standards for Mathematics (Mathematics), which are published in Appendix A-2. These ELA and Mathematics standards replaced the former Common Core State Standards for English Language Arts and the former Common Core State Standards for Mathematics. The Board is proposing to make technical amendments to § 4.12(a)(8) to delete language that facilitated the transition from the former Common Core State Standards for English Language Arts to the current ELA standards. The transitional language is no longer necessary as these ELA standards have been in effect since March 1, 2014. Likewise, the Board is making the same technical amendments to § 4.12(a)(9) to delete language that facilitated that transition from the former Common Core State Standards for Mathematics to the Pennsylvania Core Standards for Mathematics as that transition also took effect on March 1, 2014. No changes are proposed to the content of the existing standards for ELA or Mathematics.

§ 4.13. Strategic plans

Section 4.13 requires school entities to develop various strategic plans on a cyclical basis. At present, school entities must adopt professional education plans for edu-

cators every 3 years, induction plans for newly hired teachers every 6 years and student services plans every 6 years that address the provision of services such as guidance counseling, psychological services, social work services and nutritional services. In addition, school districts must adopt a special education plan every 3 years and a gifted education plan every 6 years.

Under the existing requirements of subsections (a)—(e), each of these plans must be made available for a public inspection and comment period prior to the plan's approval by a school entity's board of directors. However, no similar requirement exists for these plans to be made publicly accessible after they are approved as final. Therefore, for transparency, the Board is proposing to amend subsections (a)—(e) to require that school entities post their professional education, induction, student services, special education and gifted education plans on their publicly accessible web sites after they are approved by a school entity's governing board.

§ 4.21. *Elementary education: primary and intermediate levels*, § 4.22. *Middle level education* and § 4.23. *High school education*

Section 4.21 (relating to elementary education: primary and intermediate levels) and §§ 4.22 and 4.23 establish requirements for school entities to deliver curriculum and planned instruction to students that are based on the academic standards in § 4.12. The Board is proposing to make technical and clarifying amendments throughout these sections to align various provisions with updates to certain academic standards as previously adopted by the Board or to align provisions with the academic standards updates that are proposed in this proposed rulemaking.

Per § 4.21(a), the primary level program ordinarily is completed by children who are approximately 6 years of age and, per § 4.21(c), the intermediate level program ordinarily is completed by children who are approximately 11 years of age. Section 4.22(a) establishes that the middle level serves children who are approximately 11 years of age to 14 years of age.

The Board is proposing to make clarifying amendments to §§ 4.21(e)(1) and (f)(1), 4.22(c)(1) and 4.23(c)(1) to align language that describes the focus of ELA instruction with the structure of the ELA standards in Appendix A-2. These ELA standards took effect in 2014, but parallel technical amendments to align these paragraphs to the organization of the ELA standards in Appendix A-2 were not adopted concurrent with the adoption of the standards. As such, the Board is seeking to make clarifying amendments for consistency with the existing ELA standards to which instruction is to be aligned.

The ELA standards for grades PreK—5 are categorized under five strands as follows: Foundational Skills, Reading Informational Text, Reading Literature, Writing and Speaking and Listening. As such, proposed amendments to § 4.21(e)(1) and (f)(1), that govern curriculum and planned instruction in ELA for elementary education at the primary and intermediate levels, make these paragraphs consistent with the strands in the related standards. Likewise, proposed amendments to §§ 4.22(c)(1) and 4.23(c)(1) align these requirements for ELA instruction at the middle and high school levels, respectively, to the strands under which the ELA standards for grades 6—12 are organized as follows: Reading Informational Text, Reading Literature, Writing and Speaking and Listening.

The Board further is proposing to add new paragraphs to align the requirements for curriculum and planned instruction at the elementary, middle and high school

levels with updates to the standards for CEW, as proposed in Appendix E-1. The proposed CEW standards are organized into grade bands that include standards for grades K—2, 3—5, 6—8 and 9—12, while the existing CEW standards include standards only for grades 3, 5, 8 and 11. The Board is proposing to add § 4.21(e)(8) to the requirements for planned instruction at the elementary level to reflect the addition of proposed CEW standards in the K—2 grade band.

The Board also is proposing to amend the requirements for middle level instruction in § 4.22(c)(9) to align with the proposed CEW standards' focus on career awareness, employability skills and work-based learning experiences. The Board is proposing to add § 4.23(c)(9) to the requirements for instruction at the high school level to reflect the expectations for instruction in the CEW standards in this section of the regulation.

The Board also is proposing to add references to personal finance to the requirements for curriculum and planned instruction at the elementary (primary and intermediate) level, middle level and high school level. The proposed addition of §§ 4.21(e)(9) and (f)(9), 4.22(c)(11) and 4.23(c)(10) will align the requirements for curriculum and planned instruction with the academic standards for Personal Finance that are proposed in this proposed rulemaking in Appendix F.

Proposed clarifying amendments to § 4.22(c)(5) and (10) and proposed amendments to § 4.23(c)(5) and (d)(4) align the requirements for planned instruction in technology and engineering at the middle and high school levels with the Pennsylvania Technology and Engineering Standards for grades 6—12 in Appendix B-1. These standards previously were adopted by the Board and published in a final-form rulemaking at 52 Pa.B. 3946 (July 16, 2022). However, amendments to align the related expectations for curriculum and planned instruction were not made at the time these standards were adopted. As such, the Board is seeking to make clarifying amendments to these paragraphs for consistency with the standards to which instruction is to be aligned.

Finally, the Board is proposing to amend the descriptions of curriculum and planned instruction at the middle level in § 4.22(c)(11) and at the high school level in § 4.23(c)(9). Amendments to these sections add a reference to the strand within the proposed FCS standards for Food Science and Nutrition. Proposed amendments to these sections also make a grammatical change to the title of the content area to refer to Family and Consumer Sciences as plural.

§ 4.51a. *Pennsylvania System of School Assessment*

The Pennsylvania System of School Assessment (PSSA) is part of the State assessment system that is designed to provide information on student and school performance and to determine the degree to which school programs enable students to attain proficiency of the academic standards in § 4.12. PSSAs are administered in ELA and Mathematics in grades 3—8 and in Science at grades 4 and 8. The Board is proposing to amend subsection (c) to shift the administration of the State's elementary-level science PSSA from grade 4 to grade 5 beginning in the 2025-2026 school year. This shift will align the assessment with the end-of-the-grade band in the academic standards to which the assessment will be aligned.

The Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5) were adopted by the Board and published in a final-form rulemaking at 52 Pa.B. 3946 (July 16, 2022). These standards are published in Appendix B-1

and will take effect in the 2025-2026 school year. The standards are organized in the K—5 grade band with individual grade-level standards for Kindergarten—grade 5 in the domains of Earth and Space Sciences, Life Science, and Physical Science and with standards for the K—2 and 3—5 grade bands in the domains of Environmental Literacy and Sustainability and for Technology and Engineering. In contrast, the former standards for Science and Technology and Environment and Ecology, published in Appendix B, included elementary-level standards at grade 4 only that described what students should know and be able to do by the end of fourth grade. As such, the current elementary-level science PSSA is administered at grade 4, consistent with the grade level at which related standards were adopted.

The proposed shift to administering a Science PSSA at grade 5 will align the assessment with the structure of the new standards. The standards provide a set of grade band endpoints for each domain that describe the developing understanding that students should acquire by the ends of grade 2 and grade 5. Further, resources developed for educators to support the implementation of these standards also are structured to align with the grade bands as organized in the standards.

Affected Parties

This proposed rulemaking would affect public school districts, ACTSs, charter schools and cyber charter schools in this Commonwealth and their employees and students. This proposed rulemaking also will affect the Department and programs that prepare new teachers.

Cost and Paperwork Estimates

This proposed rulemaking will not impose any costs on students. Further, this proposed rulemaking is not anticipated to impose new costs on programs that train new educators. The proposed updated academic standards will act as a guide for reflecting the content of the standards in some courses that educator preparation programs deliver to individuals preparing to become teachers to ensure course content is aligned to current State academic standards. This does not impose a new cost for additional coursework. Rather, the impact on programs that train new teachers may shift the content of some existing courses. The Department will provide educator preparation program faculty with access to implementation supports it will make available to support school entities in implementing the updated CEW, ECON and FCS standards and the new standards for Personal Finance to support this work.

Further, the Board recognizes that school entities typically engage in curriculum review cycles every 5 years to 6 years. Thus, the Board anticipates that efforts to implement the updated and new standards in this proposed rulemaking will be reflected in school entities' existing budgetary practices for curriculum review and updates, therefore becoming part of a traditional cycle for updating school entity resources. As such, this proposed rulemaking does not add new costs inasmuch as it refines the focus of current instruction. Additionally, the Department will make numerous resources available at no cost to school entities to support implementation of the standards in this proposed rulemaking, including opportunities for educator professional development, model curriculum and other instructional resources and technical assistance.

Further, Act 35 of 2023 requires school entities to offer a half-credit course in Personal Financial Literacy aligned with personal finance standards in Chapter 4 and requires all students in this Commonwealth to complete the

course during grade 9, grade 10, grade 11 or grade 12. Act 35 of 2023 further directed the Board to review and, as necessary, update the existing CEW, ECON and FCS standards, envisioned the inclusion of standards for Personal Finance in Chapter 4 and directed the Department to update its resources and model curriculum related to economic education and personal financial literacy. As such, costs related to the standards updates proposed in this proposed rulemaking also are responsive to the requirements set forth by the General Assembly in Act 35 of 2023.

At the State level, the Board anticipates that this proposed rulemaking will cost approximately \$565,300 in total through fiscal year (FY) 2028-2029 to support implementation of this proposed rulemaking. These efforts will include reviewing and updating model curriculum and resources for educators on the Pennsylvania Standards Aligned System (SAS) to align with updates to the academic standards in Chapter 4 and providing technical supports for school entities. These resources will be updated as directed by the General Assembly in Act 35 of 2023. Per Act 35 of 2023, the Department must update these resources no later than the 2025-2026 school year and, in the future, within 1 year of any revisions to these standards.

To support implementation of the proposed updates to the CEW, ECON and FCS standards and the proposed new standards for Personal Finance, the Department will provide educators with access to State-developed resources through the SAS web site, professional learning and ongoing support and consultation. The Department will provide technical assistance through the expertise of its content advisors and additional professional learning through the Statewide System of Support. The Statewide System of Support is deployed through collaboration with the existing network of 29 regional Intermediate Units (I.U.). I.U.s function as regional educational service agencies that are organized geographically to provide supports to schools and to students across the entirety of this Commonwealth. Through its existing staff complement, content advisors within the Office of Elementary and Secondary Education provide support for standards implementation, including updating, aligning and designing resources for school entities and educators. The resources developed by the Department will be curated on the Department's SAS web site for voluntary use by school entities at no cost to school entities.

Below is an estimate of anticipated costs to the State on an annual basis through FY 2028-2029:

FY 2023-2024: There are no costs to State government associated with implementation of this proposed rulemaking during FY 2023-2024 as the Board anticipates that activity during the current fiscal year will involve consideration of proposed and final-form rulemakings through the procedures established in the Regulatory Review Act.

FY 2024-2025: The estimated cost to State government is \$145,300. Act 35 of 2023 directs the Department to update its existing resources and model curriculum related to economic education and personal financial literacy no later than the beginning of the 2025-2026 school year. To meet this time frame, work to develop implementation supports will be concentrated during FY 2024-2025. To support implementation of this proposed rulemaking, in FY 2024-2025 the Department anticipates investing \$65,000 in the Statewide System of Support, which provides grants to this Commonwealth's 29 I.U.s to provide educator professional development and technical assistance to school entities within their regions. The

Department will work with State and regional I.U. leads to design and execute a “train-the-trainer” model and funnel support, materials and resources to school entities at no cost to the school entities. Support for this investment is budgeted from Federal Title II-A professional development funds.

In FY 2024-2025, the Department also anticipates a \$42,500 cost to maintain a contract with The Pennsylvania State University for collecting and reporting data relative to financial literacy. The Department intends to expand and repurpose the existing contract to include consultation in the development of materials and resources aligned to the standards in this proposed rulemaking. Support for this investment is budgeted from the Teacher Professional Development line item allocated to the Department of Education in the General Fund.

Finally, in FY 2024-2025, the Department anticipates a \$21,000 cost to develop a professional development course for educators to support implementation of the standards in this proposed rulemaking and a \$16,800 cost to develop related resources that will be made available to educators on the SAS portal. The professional development course will be delivered online through the Department’s professional development center at no cost to educators. The course will be coupled with additional downloadable resources on SAS, such as a curriculum framework, instructional toolkit, lessons and assessments. Support for these investments is budgeted from State assessment funds.

FY 2025-2026: The estimated cost to State government is \$112,500, which represents a sustained effort to support State-level resources to assist school entities and educators with implementation of the academic standards in this proposed rulemaking. This includes a \$60,000 investment in the Statewide System of Support, a \$42,500 investment to maintain the Department’s contract with The Pennsylvania State University and a \$10,000 investment in the maintenance of SAS resources. These investments will support the delivery of professional learning and technical assistance aligned with the standards in this proposed rulemaking at no cost to educators.

FY 2026-2027: The estimated cost to State government is \$107,500, which represents a sustained effort to support State-level resources to assist school entities and educators with implementation of the academic standards in this proposed rulemaking. This includes a \$55,000 investment in the Statewide System of Support, a \$42,500 investment to maintain the Department’s contract with The Pennsylvania State University and a \$10,000 investment in the maintenance of SAS resources.

FY 2027-2028: The estimated cost to State government is \$102,500, which represents a sustained effort to support State-level resources to assist school entities and educators with implementation of the academic standards in this proposed rulemaking. This includes a \$50,000 investment in the Statewide System of Support, a \$42,500 investment to maintain the Department’s contract with The Pennsylvania State University and a \$10,000 investment in the maintenance of SAS resources.

FY 2028-2029: The estimated cost to State government is \$97,500, which represents a sustained effort to support State-level resources to assist school entities and educators with implementation of the academic standards in this proposed rulemaking. This includes a \$45,000 investment in the Statewide System of Support, a \$42,500 investment to maintain the Department’s contract with The Pennsylvania State University and a \$10,000 investment in the maintenance of SAS resources.

Effective Date

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

Sunset Date

The Board will review the effectiveness of Chapter 4 periodically in accordance with the Board’s policy and practice respecting all of its regulations and in accordance with the expectations for the periodic review of academic standards set forth in § 4.12(i). Thus, no sunset date is necessary, other than sunset dates previously described for certain provisions of Appendix C and Appendix D and the entirety of Appendix B and Appendix E.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 21, 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 Committee on Education of the Senate and the chairperson of the Committee on Education of the House of Representatives. A copy of this material is available to the public upon request.

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

Public Comments and Contact Person

Interested persons and individuals affiliated with small businesses are invited to submit written comments, questions, suggestions, recommendations, concerns or objections regarding this proposed rulemaking to Karen Molchanow, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126, ra-stateboardofed@pa.gov. Comments must be submitted to the Board within 30 days of publication of this notice of proposed rulemaking in the *Pennsylvania Bulletin*.

Persons with disabilities needing an alternative means of providing public comment may make arrangements by calling the Board at (717) 787-3787 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

KAREN MOLCHANOW,
Executive Director

Fiscal Note: 6-354. No fiscal impact; recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart A. MISCELLANEOUS PROVISIONS

CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT

(Editor’s Note: The academic standards appendices are proposed to be added to the table of contents following § 4.83, as follows.)

ACADEMIC STANDARDS

Appx.

Appendix A **[Reserved]**

Appendix A-1 [Reserved]**Appendix A-2** Pennsylvania Core Standards for English Language Arts and Mathematics**Appendix B** Academic Standards for Science and Technology and Environment and Ecology

(*Editor's Note:* Appendix B is proposed to expire July 1, 2025.)

Appendix B-1 Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K–5), Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6–12), and Pennsylvania Technology and Engineering Standards (Grades 6–12)

(*Editor's Note:* Appendix B-1 applies on and after July 1, 2025.)

Appendix C Academic Standards for Civics and Government and Economics and Geography and History and the Pennsylvania Core Standards for Reading in History and Social Studies and Pennsylvania Core Standards for Writing in History and Social Studies

(*Editor's Note:* The standards for Economics in Appendix C are proposed to expire July 1, 2026.)

Appendix C-1 Academic Standards for Economics

(*Editor's Note:* Appendix C-1 is proposed to apply on and after July 1, 2026.)

Appendix D Academic Standards for Arts and Humanities and Health, Safety and Physical Education and Family and Consumer Sciences

(*Editor's Note:* The standards for Family and Consumer Sciences in Appendix D are proposed to expire July 1, 2026.)

Appendix D-1 Academic Standards for Family and Consumer Sciences

(*Editor's Note:* Appendix D-1 is proposed to apply on and after July 1, 2026.)

Appendix E Academic Standards for Career Education and Work

(*Editor's Note:* Appendix E is proposed to expire July 1, 2026.)

Appendix E-1 Academic Standards for Career Education and Work

(*Editor's Note:* Appendix E-1 is proposed to apply on and after July 1, 2026.)

Appendix F Academic Standards for Personal Finance

(*Editor's Note:* Appendix F is proposed to apply on and after July 1, 2026.)

ACADEMIC STANDARDS AND PLANNING**§ 4.11. Purpose of public education.**

* * * * *

(g) Public schools provide instruction throughout the curriculum so that students may develop knowledge and skills in the following areas:

- (1) English language arts.
- (2) Mathematics.
- (3) Science and environment and ecology.
- (4) Technology and engineering.
- (5) Social studies (civics and government, geography, economics and history).
- (6) Arts and humanities.
- (7) Career education and work.
- (8) Health, safety and physical education.
- (9) Family and consumer [**science**] **sciences**.

(10) Personal finance.

(h) Public education provides planned instruction to enable students to attain academic standards under § 4.12. Planned instruction consists of at least the following elements:

(1) Objectives of a planned course, instructional unit or interdisciplinary studies to be achieved by all students.

(2) Content, including materials and activities, and estimated instructional time to be devoted to achieving the academic standards. Courses, instructional units or interdisciplinary studies of varying lengths of time may be taught.

(3) The relationship between the objectives of a planned course, instructional unit or interdisciplinary studies and academic standards specified under § 4.12 and any additional academic standards as determined by the school entity.

(4) Procedures for measurement of the objectives of a planned course, instructional unit or interdisciplinary studies.

§ 4.12. Academic standards.

(a) School entities may develop, expand or improve existing academic standards in the following content areas:

(1) The following apply:

(i) *Through June 30, 2025: Science and technology.* Study of the natural world and facts, principles, theories and laws in the areas of biology, chemistry, physics and earth sciences. Technology is the application of science to enable societal development, including food and fiber production, manufacturing, building, transportation and communication. Science and technology share the use of the senses, science processes, inquiry, investigation, analysis and problem solving strategies. The Pennsylvania Core Standards for Reading in Science and Technology and the Pennsylvania Core Standards for Writing in Science and Technology will be an appendix to the Commonwealth's academic standards for Science and Technology upon publication in the *Pennsylvania Bulletin*.

(ii) *Effective July 1, 2025: Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K–5).* Guide the elementary-level study of the natural and human-made world through inquiry, problem-solving, critical thinking and authentic exploration. The integration of these disciplines in the elementary grades highlights the interconnectedness of scientific study and the integral relationship between humans and the environment.

(2) The following apply:

(i) *Through June 30, 2025: Environment and ecology.* Understanding the components of ecological systems and their interrelationships with social systems and technologies. These components incorporate the disciplines of resource management, agricultural diversity, government and the impact of human actions on natural systems. This interaction leads to the study of watersheds, threatened and endangered species, pest management and the development of laws and regulations.

(ii) *Effective July 1, 2025: Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6–12).* Utilize a three-dimensional approach to guide the study of physical sciences, life sciences, and earth and space sciences at the middle and high school levels. The standards highlight the critical intersections of these disciplines with environmental science, ecology, and agriculture. These three-dimensional standards integrate dis-

ciplinary core ideas, practices in science and engineering, and crosscutting concepts into coherent learning progressions across the grade bands.

(iii) *Effective July 1, 2025: Pennsylvania Technology and Engineering Standards (Grades 6–12)*. Define the knowledge, skills, and abilities necessary for establishing literacy in technology and engineering literacy. Students develop a practical understanding of how humans are influenced by science and technology. Four core disciplinary standards describe practices in technology and engineering and include specific benchmarks for students in grade bands 6–8 and 9–12.

(2.1) Appendix B (relating to academic standards for science and technology and environment and ecology shall expire July 1, 2025. The academic standards under paragraphs (1)(ii) and (2)(ii) and (iii) shall be based on the provisions of Appendix B-1 (relating to Pennsylvania integrated standards for science, environment, ecology, technology and engineering (Grades K–5), Pennsylvania integrated standards for science, environment and ecology (Grades 6–12), and Pennsylvania technology and engineering standards (Grades 6–12)) on and after July 1, 2025.

(3) *Social studies*.

(i) *History*. Study of the record of human experience including important events; interactions of culture, race and ideas; the nature of prejudice; change and continuity in political systems; effects of technology; importance of global-international perspectives; and the integration of geography, economics and civics studies on major developments in the history of the Commonwealth, the United States and the world.

(ii) *Geography*. Study of relationships among people, places and environments, of geographic tools and methods, characteristics of place, concept of region, and physical processes.

(iii) *Civics and government*. Study of United States constitutional democracy, its values and principles, study of the Constitution of the Commonwealth and government, including the study of principles, operations and documents of government, the rights and responsibilities of citizenship, how governments work and international relations.

(iv) *Economics*. Study of how individuals and societies choose to use resources to produce, distribute and consume goods and services. Knowledge of how economies work, economic reasoning and basic economic concepts, economic decision making, economic systems, the Commonwealth and the United States economy and international trade. **The academic standards for Economics in Appendix C (relating to academic standards for civics and government and economics and geography and history and the Pennsylvania core standards for reading in history and social studies and Pennsylvania core standards for writing in history and social studies) shall expire July 1, 2026. The academic standards under this subparagraph shall be based on the provisions of Appendix C-1 (relating to academic standards for economics) on and after July 1, 2026.**

(v) *Appendix*. The Pennsylvania Core Standards for Reading in History and Social Studies and the Pennsylvania Core Standards in Writing for History and Social Studies will be an appendix to the Commonwealth's academic standards for History upon publication in the *Pennsylvania Bulletin*.

(4) *Arts and humanities*. Study of dance, theatre, music, visual arts, language and literature including forms of expression, historical and cultural context, critical and aesthetic judgment and production, performance or exhibition of work.

(5) *Career education and work*. Understanding career options in relationship to individual interests, aptitudes and skills including the relationship between changes in society, technology, government and economy and their effect on individuals and careers. Development of knowledge and skill in job-seeking and job-retaining skills and, for students completing career and technical education programs, the skills to succeed in the occupation for which they are prepared. **Appendix E (relating to academic standards for career education and work) shall expire July 1, 2026. The academic standards under this paragraph shall be based on the provisions of Appendix E-1 (relating to academic standards for career education and work) on and after July 1, 2026.**

(6) *Health, safety and physical education*. Study of concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts and strategies, safety in physical activity settings, and leadership and cooperation in physical activities.

(7) *Family and consumer [science] sciences*. Understanding the role of consumers as a foundation for managing available resources to provide for personal and family needs and to provide basic knowledge of child health and child care skills. **The academic standards for Family and Consumer Sciences in Appendix D (relating to academic standards for arts and humanities and health, safety and physical education and family and consumer sciences) shall expire July 1, 2026. The academic standards under this paragraph shall be based on the provisions of Appendix D-1 (relating to academic standards for family and consumer sciences) on and after July 1, 2026.**

(8) **[Through June 30, 2013: Reading, writing, speaking and listening.] Pennsylvania Core Standards for English Language Arts. The English Language Arts standards describe what students should know and be able to do with the English language as follows:**

(i) *Reading*. The application of phonemic awareness, phonics and word study, vocabulary, fluency and text comprehension in reading critically across subject areas; the interpretation and analysis of literary expression with analysis of the origins and structures of the English language and learning how to search a variety of texts to conduct research.

(ii) *Writing*. Narrative, informational and persuasive formal writing for an audience, including spelling and editing skills; and informal writing to capture and organize information for individual use.

(iii) *Speaking and listening*. Participation in conversation and formal speaking presentations.

(iv) **[English Language Arts. Upon publication in the Pennsylvania Bulletin, following full implementation of a transition plan to be developed by the Department in collaboration with education stakeholders, academic] Academic standards [will be] are based on the Pennsylvania Core Standards for Eng-**

lish Language Arts in Appendix A-2 (relating to Pennsylvania core standards for English language arts and mathematics).

(9) **Pennsylvania Core Standards for Mathematics.** The understanding of fundamental ideas and the development of proficient mathematical skills in numbers, computation, measurement, statistics and data analysis, probability and predictions, algebra and functions, geometry, trigonometry and concepts of calculus. Using this content, students will learn to think, reason and communicate mathematically. Students will learn to model real-world situations by creating appropriate representations of numerical quantities and plan and implement problem-solving strategies to answer the question in the context of the situation. [Upon publication in the Pennsylvania Bulletin, following implementation of a transition plan to be developed by the Department in collaboration with education stakeholders, academic] Academic standards [will be] are based on the Pennsylvania Core Standards for Mathematics in Appendix A-2.

(10) **Personal finance.** Understanding the process of planning and managing personal financial activities such as income generation, spending, saving, investing and risk protection. Development of knowledge of personal finance foundations, income, spending, saving and investing, risk and insurance, and credit. Personal finance is also known as personal financial literacy and financial literacy. On and after July 1, 2026, the academic standards under this paragraph shall be based on the provisions of Appendix F (relating to academic standards for personal finance).

(b) In designing educational programs, school entities shall provide for the attainment of the academic standards under subsections (a) and (c) and any additional academic standards as determined by the school entity. Attaining the academic standards in this section requires students to demonstrate the acquisition and application of knowledge.

* * * * *

STRATEGIC PLANS

§ 4.13. Strategic plans.

(a) [Upon expiration of its current strategic planning phase, each] Each school entity shall submit to the Secretary for approval a professional education plan every 3 years as required under § 49.17(a) (relating to continuing professional education). A school entity shall make its professional education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Secretary. A school entity shall post the plan approved by its governing board on its publicly accessible web site.

(b) [Upon expiration of its current strategic planning phase, each] Each school entity shall submit to the Department for approval an induction plan every 6 years as required under § 49.16(a) (relating to approval of induction plans). A school entity shall make its induction plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Department. A school entity shall post the plan approved by its governing board on its publicly accessible web site.

(c) [Upon expiration of its current strategic planning phase, each] Each school entity shall develop and implement a comprehensive and integrated K—12 program of student services based on the needs of its students every 6 years as provided in § 12.41(a) (relating to student services). A school entity shall make its student services plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board. A school entity shall post the plan approved by its governing board on its publicly accessible web site.

(d) [Upon expiration of its current strategic planning phase, each] Each school district shall develop, submit to the Department for approval and implement a special education plan every 3 years as required under § 14.104 (relating to special education plans). A school district shall make its special education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school district's board of directors and submission of the plan to the Department. A school district shall post the plan approved by its governing board on its publicly accessible web site.

(e) [Upon expiration of its current strategic planning phase, each] Each school district shall develop and implement a gifted education plan every 6 years as required under § 16.4 (relating to strategic plans). A school district shall make its gifted education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school district's board of directors. A school district shall post the plan approved by its governing board on its publicly accessible web site.

CURRICULUM AND INSTRUCTION

§ 4.21. Elementary education: primary and intermediate levels.

* * * * *

(e) Planned instruction aligned with academic standards in the following areas shall be provided to every student every year in the primary program. Planned instruction may be provided as a separate course or other interdisciplinary activity.

(1) [Language arts, integrating reading, writing, phonics, spelling, listening, speaking, literature and grammar] English Language Arts, integrating foundational skills, reading informational text, reading literature, writing, speaking and listening, and information management, including library skills.

(2) Mathematics, including problem-solving and computation skills.

(3) Science, environment and ecology, involving active learning experiences for students.

(4) Technology and engineering education, involving active learning experiences for students.

(5) Social studies (civics and government, economics, geography and history).

(6) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, the prevention of alcohol, chemical and tobacco abuse, knowledge and practice of lifetime physical activities, personal fitness, basic movement skills and concepts, motor skill

development, principles and strategies of movement, and safety practices in physical activity settings.

(7) The arts, including active learning experiences in art, music, dance and theatre.

(8) Career education, including exposure to various social-emotional learning and employability skills, career awareness and learning experiences and the educational preparation necessary to achieve those experiences.

(9) Personal finance.

(f) Planned instruction in the following areas shall be provided to every student every year in the intermediate level program. Planned instruction may be provided as a separate course or as an instructional unit within another course or other interdisciplinary instructional activity:

(1) **[Language arts, integrating reading, writing, spelling, listening, speaking, literature and grammar.] English Language Arts, integrating foundational skills, reading informational text, reading literature, writing, and speaking and listening.**

(2) Mathematics, including problem-solving and computation skills.

(3) Science, environment and ecology, including instruction about agriculture and agricultural science.

(4) Technology and engineering.

(5) Social studies (civics and government, economics, geography and history).

(6) The arts, including art, music, dance and theatre.

(7) Understanding and use of library and other information sources.

(8) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, the prevention of alcohol, chemical and tobacco abuse, knowledge and practice of lifetime physical activities, personal fitness, basic movement skills and concepts, motor skill development, principles and strategies of movement and safety practices in physical activity settings.

(9) Personal finance.

(g) Planned instruction aligned with academic standards in the following areas shall be provided to every student at least once by the end of elementary school. Planned instruction may be provided as a separate course or as an instructional unit within another course or other interdisciplinary instructional activity. See section 1511 of the School Code (24 P.S. § 15-1511).

- (1) History of the United States.
- (2) History of the Commonwealth.
- (3) Geography.
- (4) Civics.

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§ 4.22. Middle level education.

(a) The middle level planned instruction aligned with academic standards serves children who are approximately 11—14 years of age. School entities may modify the grouping of students based upon student needs identified by the school entity.

(b) Curriculum and instruction in the middle level program must be standards-based and focus on mastery of academic subjects, the development of critical and

creative thinking, information literacy, good health and encourage active participation in the school and community.

(c) Planned instruction aligned with academic standards in the following areas shall be provided to every student in the middle level program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) **[Language arts, integrating reading, writing, listening, speaking, literature and grammar] English Language Arts, integrating reading informational text, reading literature, writing, and speaking and listening.**

(2) Mathematics, including mathematical reasoning, algebra and problem-solving.

(3) Science, environment and ecology, which involves active learning experiences and which may include laboratory experiments, instruction in agriculture and agricultural science, and political and economic aspects of ecology.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth, and the world).

(5) **[Technology and engineering] [Reserved].**

(6) Information skills, including access to traditional and electronic information sources, computer use and research.

(7) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(8) The arts, including art, music, dance and theatre.

(9) Career education, including exposure to various **[career options and the educational preparation necessary to achieve those options] employability skills, career awareness and work-based learning experiences and the educational preparation necessary to achieve those experiences.**

(10) Technology **[education, emphasizing practical application of academic skills and problem-solving experiences facilitated by technology] and engineering, focusing on the interactions among technology, engineering, society, the environment, and other disciplines, with a goal of developing students that can create, utilize, and assess current and emerging technologies.**

(11) Family and consumer **[science] sciences**, including principles of **food science and nutrition**, consumer behavior, and basic knowledge of child health and child care skills.

(12) Personal finance.

(d) This section does not preclude the teaching of other planned instruction designed to achieve a school entity's academic standards.

(e) School entities shall determine the most appropriate way to operate their middle level programs to achieve the purposes under subsection (b) and any additional academic standards as determined by the school entity.

§ 4.23. High school education.

(a) Instruction in the high school program must focus on the development of abilities needed to succeed in work and advanced education through planned instruction.

(b) Curriculum and instruction in the high school must be standards-based and provide all students opportunities to develop the skills of analysis, synthesis, evaluation and problem-solving and information literacy.

(c) Planned instruction aligned with academic standards in the following areas shall be provided to every student in the high school program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) **[Language arts, integrating reading, writing, listening, speaking, literature and grammar] English Language Arts, integrating reading informational text, reading literature, writing, and speaking and listening.**

(2) Mathematics, including problem-solving, mathematical reasoning, algebra, geometry and concepts of calculus.

(3) Science, environment and ecology, including scientific, social, political and economic aspects of ecology, participation in hands-on experiments and at least one laboratory science chosen from life sciences, earth and space sciences, chemical sciences, physical sciences and agricultural sciences.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth and the world).

(5) **[Technology and engineering] [Reserved].**

(6) The arts, including art, music, dance, theatre and humanities.

(7) Use of applications of microcomputers and software, including word processing, database, spreadsheets and telecommunications; and information skills, including access to traditional and electronic information sources, computer use and research.

(8) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(9) Family and consumer **[science] sciences**, including principles of **food science and nutrition**, consumer behavior, and basic knowledge of child health, child care and early literacy skill development.

(10) Career education, including exposure to various employability skills, career awareness and work-based learning experiences, and the educational preparation necessary to achieve those experiences.

(11) Personal finance.

(d) The following planned instruction shall be made available to every student in the high school program:

(1) Career and technical education under §§ 4.3 and 4.31—4.35.

(2) Business education, including courses to assist students in developing business and information technology skills.

(3) World languages under § 4.25 (relating to languages).

(4) Technology **[education, incorporating technological problem-solving and the impacts of technology on individuals and society] and engineering, focusing on the interactions among technology, engineering, society, the environment and other disciplines, with a goal of developing individuals that can create, utilize and assess current and emerging technologies.**

(e) College-level advanced placement courses may be offered as planned instruction in the high school curriculum.

(f) This section does not preclude the teaching of other planned instruction designed to achieve a school district's, including a charter school's, academic standards.

(g) School districts, including a charter school, shall determine the most appropriate way to operate their high school programs to achieve the purposes under subsection (a) and any additional academic standards as determined by the school entity.

ASSESSMENT

§ 4.51a. Pennsylvania System of School Assessment.

(a) All PSSA assessments administered in English Language Arts, Mathematics, and Science, Environment, Ecology, Technology and Engineering will be standards-based and criterion referenced and include essay or open-ended response items in addition to other item formats. The proportion of type of items will vary by grade level. The criteria for judging performance on PSSA assessments are as follows:

(1) Performance on PSSA English Language Arts assessments shall be demonstrated by students' responses to comprehension questions about age-appropriate reading passages, by their written responses to in-depth comprehension questions about the passages and by the quality of their written compositions on a variety of topics and modes of writing.

(2) Performance on PSSA mathematics assessments shall be demonstrated by students' responses to questions about grade-appropriate content and by the quality of their responses to questions that require a written solution to a problem.

(3) Performance on PSSA science assessments shall be demonstrated by students' responses to grade appropriate content and by the quality of their responses to questions that demonstrate knowledge of each category of the standards for science, environment, ecology, technology and engineering.

(4) Performance levels shall be advanced, proficient, basic and below basic. In consultation with educators, students, parents and citizens, the Department will develop and recommend to the Board for its approval specific criteria for advanced, proficient, basic and below basic levels of performance.

(b) The Department will develop or cause to be developed PSSA assessments based on Pennsylvania Core Standards in Mathematics and English Language Arts under § 4.12 (relating to academic standards) and contained in Appendix A-2. Through June 30, 2025, the Department will develop or cause to be developed PSSA assessments based on academic standards in Science, Technology, Environment and Ecology under § 4.12 and contained in Appendix B. Beginning July 1, 2025, the Department will develop or cause to be developed PSSA

assessments based on academic standards in Science, Environment, Ecology, Technology and Engineering under § 4.12 and contained in Appendix B-1. In developing PSSA assessments, the Department will consult with educators, students, parents and citizens regarding the specific methods of assessment.

(c) The PSSA assessments shall be administered annually and include assessments of the State academic standards in Mathematics and English Language Arts at grades 3 through 8, and in Science, Environment, Ecology, Technology and Engineering at grades 4 and 8. **Beginning in the 2025-2026 school year, the PSSA that assesses State academic standards in Science, Environment, Ecology, Technology and Engineering shall be administered at grade 5 and grade 8 and**

the PSSA assessment of these standards administered at grade 4 shall be discontinued.

(Editor's Note: Appendix B, which appears in 22 Pa. Code pages 4-112.36—4-201, serial pages (371216) to (371218), (286565) to (286596), (371219) to (371224), (286599) to (286602), (371225) to (371232), (286605) to (286652) and (410373), is proposed to expire July 1, 2025, and the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), the Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and the Pennsylvania Technology and Engineering Standards (Grades 6—12) in Appendix B-1 are proposed to apply on and after that date.)

APPENDIX B

Academic Standards for Science and Technology and Environment and Ecology

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(Editor’s Note: Appendix B, which appears in 22 Pa. Code pages 4-112.36—4-201, serial pages (371216) to (371218), (286565) to (286596), (371219) to (371224), (286599) to (286602), (371225) to (371232), (286605) to (286652) and (410373), is proposed to expire July 1, 2025, and the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), the Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and the Pennsylvania Technology and Engineering Standards (Grades 6—12) in Appendix B-1 applies on and after that date.)

APPENDIX B-1

Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5)^{1, 2}, Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and Pennsylvania Technology and Engineering Standards (Grades 6—12)

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(Editor’s Note: The academic standards for Economics in Appendix C, which appear in 22 Pa. Code pages 4-272—4-248, serial pages (294939) to (294960), are proposed to expire July 1, 2026, and the academic standards for Economics in proposed Appendix C-1 are proposed to apply on and after that date.)

APPENDIX C

Academic Standards for Civics and [**Governmentand**] **Government and** Economics and Geography and History
Academic Standards for History

Academic Standards for Civics and Government and Geography and History and the Pennsylvania Core Standards for Reading in History and Social Studies and Pennsylvania Core Standards for Writing in History and Social Studies

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APPENDIX C-1

Academic Standards for Economics

Grades K—12

Overview

Economics is concerned with the behavior of individuals and institutions engaged in the production, exchange, and consumption of goods and services. For students to succeed in the workforce, knowledge of how the world works is critical. Every student should know the characteristics of economic systems, how markets establish prices, how scarcity and choice affect the allocation of resources, the global nature of economic interdependence, and how work and earnings impact productivity. These standards are intended to provide direction in learning how economic activity impacts everyday life through the areas of fundamentals of economics, microeconomics, macroeconomics, and money and financial institutions. The standards are grade banded and reflect the increasing complexity and sophistication that students are expected to achieve as they progress through school.

<i>Number</i>	<i>Areas</i>
6.1	Fundamentals of Economics
6.2	Microeconomics
6.3	Macroeconomics
6.4	Money and Economic Institutions

Grades 9 to 12

Grades 6 to 8

Grades 3 to 5

Kindergarten to Grade 2

1. Fundamentals of Economics

Economic systems	Intentionally blank	Intentionally blank	6.1.6-8.A Describe and identify the characteristics of traditional, command, and market systems.	6.1.9-12.A Evaluate the strengths and weaknesses of traditional, command, and market economies.
Fundamental economic questions	6.1.K-2.B Explain how limited resources require us to make choices and share when we cannot have everything we want.	6.1.3-5.B Identify the three basic questions that all economic systems attempt to answer: <ul style="list-style-type: none"> • What goods and services should be produced? • How will goods and services be produced? • Who will consume goods and services? 	6.1.6-8.B Explain how traditional, command, and market economies answer the basic economic questions: <ul style="list-style-type: none"> • What goods and services should be produced? • How will goods and services be produced? • Who will consume goods and services? 	6.1.9-12.B Analyze the impact of traditional, command, and market economies on the United States economy.
Scarcity	Intentionally blank	6.1.3-5.C Define scarcity and how it impacts personal, household, and community decision-making.	6.1.6-8.C Describe ways to deal with scarcity within various communities.	6.1.9-12.C Analyze actions taken as a result of scarcity in decision-making.
Economic choice	Intentionally blank	Intentionally blank	6.1.6-8.D Explain that scarcity is the condition of not having all the goods and services wanted because resources are limited.	6.1.9-12.D Analyze how choices made by individuals, firms, or government officials are constrained by available resources.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Economic resources	Intentionally blank	Intentionally blank	6.1.6-8.E Explain how resources can be used in different ways to produce different goods and services.	6.1.9-12.E Evaluate the allocation of resources used to produce goods and services.
Marginal analysis	Intentionally blank	6.1.3-5.F Explain the costs and benefits of an economic decision.	6.1.6-8.F Explain how the additional cost and additional benefit of a choice affects decision-making (marginal analysis).	6.1.9-12.F Evaluate regional, national, or international economic decisions using marginal analysis.
Opportunity cost	Intentionally blank	6.1.3-5.G Define opportunity cost and describe the opportunity cost of a personal choice.	6.1.6-8.G Explain the opportunity cost of a public choice from different perspectives.	6.1.9-12.G Analyze the opportunity cost of decisions by individuals, businesses, communities, and nations.
Incentives	Intentionally blank	6.1.3-5.H Explain how negative and positive incentives affect choices.	6.1.6-8.H Explain how incentives affect the behaviors of workers, savers, consumers, and producers.	6.1.9-12.H Evaluate in terms of marginal analysis how incentives influence decisions of consumers, producers, and policymakers.
Specialization	6.1.K-2.I Describe why people divide tasks to make work easier.	6.1.3-5.I Define specialization and identify examples of interdependence.	6.1.6-8.I Describe how specialization may lead to increased production and consumption.	6.1.9-12.I Analyze the relationship between specialization and the standard of living.
Trade	6.1.K-2.J Explain why people trade.	6.1.3-5.J Explain why countries trade.	6.1.6-8.J Explain how trade may improve a society's standard of living.	6.1.9-12.J Analyze the relationships between trade, competition, and productivity.
Foreign trade	Intentionally blank	6.1.3-5.K Identify and define imports, exports, and international trade.	6.1.6-8.K Explain why governments sometimes subsidize or restrict trade (i.e., tariffs or quotas).	6.1.9-12.K Evaluate how a country might benefit by lowering or removing trade barriers.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Global interdependence	Intentionally blank	Intentionally blank	<p>6.1.6-8.L Explain how specialization and trade lead to interdependence.</p>	<p>6.1.9-12.L Analyze how consumers and producers participate in the global production and consumption of goods or services.</p>
Comparative advantage	Intentionally blank	<p>6.1.3-5.M Explain why some products are produced locally while others are not.</p>	<p>6.1.6-8.M Explain how opportunity costs influence where goods and services are produced locally and regionally.</p>	<p>6.1.9-12.M Explain that individuals and nations have a comparative advantage in the production of goods or services if they can produce a product at a lower opportunity cost than other individuals or nations.</p>
2. Microeconomics				
Circular flow	<p>6.2.K-2.A Define and identify goods and services.</p>	<p>6.2.3-5.A Describe how consumers purchase goods and services from producers.</p>	<p>6.2.6-8.A Explain the flow of goods, services, and resources in an economy.</p>	<p>6.2.9-12.A Analyze the circular flow of products, resources, and money in a mixed economy.</p>
Competition	Intentionally blank	<p>6.2.3-5.B Identify ways local businesses compete for customers.</p>	<p>6.2.6-8.B Describe the advantages and disadvantages of competition for consumers in markets.</p>	<p>6.2.9-12.B Define noncompetitive markets and explain how consumers and producers operate in those markets.</p>
Monopolies	Intentionally blank	<p>6.2.3-5.C Define and provide an example of a monopoly.</p>	<p>6.2.6-8.C Identify historical examples of monopolies in the United States.</p>	<p>6.2.9-12.C Evaluate the economic roles of governments in promoting free markets (e.g., price controls, antitrust actions).</p>
Supply and demand	Intentionally blank	<p>6.2.3-5.D Explain how markets bring together buyers and sellers.</p>	<p>6.2.6-8.D Explain how supply and demand affect the prices of goods and services.</p>	<p>6.2.9-12.D Predict how changes in supply and demand affect equilibrium price and quantity sold.</p>

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Economic patterns	Intentionally blank	6.2.3-5.E Explain how the location of resources and transportation have affected Pennsylvania economic patterns.	6.2.6-8.E Explain how the location of resources, transportation, and technology have affected United States economic patterns.	6.2.9-12.E Explain how the location of resources, transportation, and technology have affected international economic patterns.
Wages	Intentionally blank	Intentionally blank	6.2.6-8.F Define wages and explain how wages are determined by the supply of and demand for workers.	6.2.9-12.F Analyze the factors influencing wages, including demand for goods and services produced, productivity of labor, labor unions, and education and skills.
Productivity	Intentionally blank	Intentionally blank	6.2.6-8.G Describe how productivity is measured and identify ways in which a person can improve his or her productivity.	6.2.9-12.G Evaluate how changes in education, incentives, technology, and capital investment alter productivity.
Types of businesses	6.2.K-2.H Identify businesses in your community.	6.2.3-5.H Describe businesses that provide goods and services.	6.2.6-8.H Identify and explain the characteristics of the three types of businesses: sole proprietorship, partnership, and corporation.	6.2.9-12.H Analyze the costs and benefits of organizing a business as a sole proprietorship, partnership, or corporation.
Profit and loss	Intentionally blank	6.2.3-5.I Define profit and loss.	6.2.6-8.I Explain how profits and losses serve as incentives.	6.2.9-12.I Analyze the role of profits and losses in the allocation of resources in a market economy.
Entrepreneurship	6.2.K-2.J Define entrepreneurship and identify entrepreneurs in the local community.	6.2.3-5.J Identify historical and contemporary entrepreneurs in Pennsylvania.	6.2.6-8.J Investigate leading entrepreneurs in Pennsylvania and the United States and describe the characteristics of successful entrepreneurship (including risks and rewards).	6.2.9-12.J Evaluate the impact of entrepreneurs on the economy.

Grades 9 to 12

Grades 6 to 8

Grades 3 to 5

Kindergarten to Grade 2

3. Macroeconomics

Economic indicators	Intentionally blank	6.3-3-5.A Define unemployment and inflation.	6.3-6-8.A Define macroeconomic indicators such as the Consumer Price Index (CPI), gross domestic product (GDP), and unemployment rate.	6.3-9-12.A Evaluate the relationship between economic growth and changes in macroeconomic indicators such as the Consumer Price Index (CPI), gross domestic product (GDP), and unemployment rate.
Business cycles	Intentionally blank	Intentionally blank	6.3-6-8.B Describe historical examples of expansion, recession, and depression in the United States.	6.3-9-12.B Compare current and historical examples of expansion, recession, and depression.
Fiscal policy	Intentionally blank	Intentionally blank	6.3-6-8.C Define fiscal policies available to the federal government.	6.3-9-12.C Identify fiscal and monetary policies that address inflation, unemployment, or economic growth.
Federal budget	Intentionally blank	Intentionally blank	Intentionally blank	6.3-9-12.D Explain how deficit spending by the federal government increases the national debt and the impact it has on the economy.
Taxation	6.3-K-2.E Define a tax and identify examples.	6.3-3-5.E Explain how taxes affect the price of goods and services.	6.3-6-8.E Define the three different types of tax structures (progressive, proportional, and regressive) and different tax bases, such as income, wealth, property, etc.	6.3-9-12.E Evaluate the impact of different tax structures (progressive, proportional, and regressive) and different tax bases (income, wealth, property, etc.) on households and firms.

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Tax policy	Intentionally blank	6.3.3-5.F Explain how the government pays for goods and services through taxes.	6.3.6-8.F Compare the taxation policies of local, state, and national government levels in the economy.	6.3.9-12.F Analyze the social, political, and economic consequences of changes in tax policy.
Economic role of government	Intentionally blank	Intentionally blank	6.3.6-8.G Analyze the economic roles of governments in market economies in promoting growth and stability and providing legal frameworks (laws and regulations).	6.3.9-12.G Evaluate the economic roles of governments in a globalized economy (e.g., trade policy, income inequality, distribution of wealth).
Externalities	Intentionally blank	6.3.3-5.H Identify unintended consequences of market activities (e.g., pollution, noise, traffic).	6.3.6-8.H Identify policies governments can use to address unintended consequences (i.e., externalities) of market activities.	6.3.9-12.H Evaluate policies governments can use to address unintended consequences (i.e., externalities) of market activities.
Public goods and services	6.3.K-2.I Define public goods and services provided by the government.	6.3.3-5.I Distinguish between public and private goods and services.	6.3.6-8.I Explain why the government provides public goods and services (e.g., education, infrastructure, national defense, safety and health).	6.3.9-12.I Evaluate government decisions in prioritizing public goods and services.
4. Money and Economic Institutions				
Money	Intentionally blank	6.4.3-5.A Explain the advantages of using money instead of bartering.	6.4.6-8.A Identify and explain various forms of payments used in markets.	6.4.9-12.A Explain how the Federal Reserve defines money.
Exchange rates	Intentionally blank	6.4.3-5.B Explain why most countries create their own form of money.	6.4.6-8.B Explain why you have to exchange currencies to purchase goods when you visit another country.	6.4.9-12.B Explain how changes in exchange rates affect the relative prices of foreign goods and services.

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Monetary policy	Intentionally blank	Intentionally blank	Intentionally blank	6.4.9-12.C Explain how changes in the money supply and monetary policy affect interest rates throughout the economy.
Banking	6.4.K-2.D Define saving and explain why people use banks to save.	6.4.3-5.D Explain how banks bring savers and borrowers together.	6.4.6-8.D Explain how banks and other financial institutions channel funds from savers to borrowers and investors.	6.4.9-12.D Evaluate the role of banks in promoting economic growth in the economy.
Federal reserve system	Intentionally blank	Intentionally blank	6.4.6-8.E Explain the history, structure, and purposes of the Federal Reserve System.	6.4.9-12.E Analyze Federal Reserve policies designed to raise or lower interest rates.
Nongovernmental organizations	Intentionally blank	Intentionally blank	6.4.6-8.F Define nongovernmental economic institutions (e.g., labor unions, non-profits, financial markets).	6.4.9-12.F Evaluate the role of nongovernmental economic institutions (e.g., labor unions, non-profits, financial markets).
Interest rate policy	Intentionally blank	Intentionally blank	6.4.6-8.G Explain the impact of higher or lower interest rates for savers, borrowers, consumers, and producers.	6.4.9-12.G Evaluate benefits and costs of changes in interest rates for individuals and society.

(Editor’s Note: The academic standards for Family and Consumer Sciences in Appendix D, which appear in 22 Pa. Code pages 4-342—4-355, serial pages (295054) to (295066) and (320291), are proposed to expire July 1, 2026, and the academic standards for Family and Consumer Sciences in proposed Appendix D-1 are proposed to apply on and after that date.)

APPENDIX D

Academic Standards for Arts and Humanities and Health, Safety and Physical Education and Family and Consumer Sciences

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(Editor’s Note: The academic standards for Family and Consumer Sciences in Appendix D, which appear in 22 Pa. Code pages 4-342—4-355, serial pages (295054) to (295066) and (320291), are proposed to expire July 1, 2026, and the academic standards for Family and Consumer Sciences in proposed Appendix D-1 are proposed to apply on and after that date.)

APPENDIX D-1

Academic Standards for Family and Consumer Sciences

Grades K—12

Overview

This document includes Academic Standards for Family and Consumer Sciences at four grade levels (K—2, 3—5, 6—8, 9—12), with the emphasis on what students will know and be able to do in the following areas:

<i>Number</i>	<i>Areas</i>
11.1	Food Science and Nutrition
11.2	Resource Management
11.3	Human Development, Family, & Relationships
11.4	Education and Early Childhood Development
11.5	Personal Finance and Consumer Skills
11.6	Career, Community, and Family Connections

The Academic Standards for Family and Consumer Sciences emphasize the crucial role of families in shaping individual and community well-being. This educational approach underscores the shared responsibility of meeting diverse needs, promoting lifelong learning, and contributing to the community. The standards aim to prepare students not just for personal, family, and work responsibilities but also to empower them for the challenges of living and working in a diverse, global society, fostering holistic individual development and community advancement.

Family and Consumer Sciences (FCS) is a field of study focused on the science and art of living and working well in our complex world, encompassing family and consumer sciences, career exploration, community and family connections, consumer and family resource management, parenting and child development, food, nutrition, wellness, and family and interpersonal relationships.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	1. Food Science and Nutrition			
Food supply	<p>11.1.K-2.A Identify the production steps that food travels from the farm to the consumer.</p>	<p>11.1.3-5.A Demonstrate knowledge of techniques used to evaluate food in various forms.</p>	<p>11.1.6-8.A Evaluate factors that affect food safety from production through consumption.</p>	<p>11.1.9-12.A Predict factors that affect food safety and security from production through consumption.</p>
Safety and sanitation	<p>11.1.K-2.B Describe personal hygiene techniques in food handling.</p>	<p>11.1.3-5.B Describe safe food-handling techniques.</p>	<p>11.1.6-8.B Demonstrate food safety and sanitation procedures.</p>	<p>11.1.9-12.B Evaluate the role of government agencies in safeguarding our food supply</p>
Nutrition analysis	<p>11.1.K-2.C Explain the importance of eating a varied diet in maintaining health.</p>	<p>11.1.3-5.C Establish factors that affect food choices.</p>	<p>11.1.6-8.C Analyze factors that influence nutrition and wellness practices across the life span.</p>	<p>11.1.9-12.C Model the ability to acquire, handle, and use foods to meet nutrition and wellness needs of individuals and families across the life span.</p>
Meal management	<p>Intentionally blank</p>	<p>11.1.3-5.D Identify components of a well-balanced meal.</p>	<p>11.1.6-8.D Hypothesize the effectiveness of the use of meal management principles.</p>	<p>11.1.9-12.D Evaluate the application of nutrition and meal-planning principles in the selection, planning, preparation, and serving of meals that meet the specific nutritional needs of individuals across their life span.</p>

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Culinary math & measurement	11.1.K-2.E Name and classify culinary measurement tools.	11.1.3-5.E Demonstrate measurement skills used in food preparation.	11.1.6-8.E Apply measurement and math skills in following recipe directions.	11.1.9-12.E Apply principles of measurement, portion control, conversions, food cost analysis and control, menu terminology, and menu pricing to menu planning.
Culinary equipment and techniques	11.1.K-2.F Name basic kitchen measuring tools and cooking equipment.	11.1.3-5.F Describe the use of common cooking tools and equipment.	11.1.6-8.F Prepare a recipe using fundamental culinary skills and techniques.	11.1.9-12.F Apply the fundamentals of time, temperature, and cooking techniques to preparing, cooking, cooling, reheating, and holding a variety of foods.
Food science	11.1.K-2.G Classify foods according to the senses.	11.1.K-3-5.G Understand and identify the physical changes that occur during food preparation.	11.1.6-8.G Demonstrate food science through principles of food biology and chemistry.	11.1.9-12.G Analyze the relevance of scientific principles to food processing, preparation, and packaging.
Nutrition and health	11.1.K-2.H Classify foods by food group within the current USDA dietary guidelines.	11.1.3-5.H Describe a well-balanced daily menu using the current USDA dietary guidelines.	11.1.6-8.H Examine the nutritional needs of individuals and families in relation to health and wellness across the life span.	11.1.9-12.H Evaluate nutrition principles, food plans, preparation techniques, and specialized dietary plans.
Calories and energy	Intentionally blank	11.1.3-5.I Describe the relationship between food input and energy output.	11.1.6-8.I Analyze the energy and nutrient requirements for individuals at various stages of the life cycle.	11.1.9-12.I Analyze the breakdown of foods, the absorption of nutrients, and their conversion to energy by the body.
Careers	11.1.K-3.J Identify career choices that relate to food.	11.1.3-5.J Describe career choices within food services.	11.1.6-8.J Investigate career choices within food services, sciences, and nutrition industries.	11.1.9-12.J Analyze career paths within food services, sciences, and nutrition industries.

Grades 9 to 12

Grades 6 to 8

Grades 3 to 5

Kindergarten to Grade 2

2. Resource Management

<p>Resource sustainability</p>	<p>11.2.K-2.A Identify waste and practice ways to reduce, reuse, and recycle.</p>	<p>11.2.3-5.A Explain the decision to use or not use resources based on resource availability and sustainability.</p>	<p>11.2.6-8.A Analyze sustainability practices and their effect on future renewable and non-renewable resources.</p>	<p>11.2.9-12.A Develop a global view to weigh consumer and design decisions with the parameters of sustainability, socioeconomic, and cultural contexts.</p>
<p>Individual and family resources</p>	<p>11.2.K-2.B Identify individual and family resources and responsibilities.</p>	<p>11.2.3-5.B Develop planning skills to organize individual and family resources and responsibilities.</p>	<p>11.2.6-8.B Apply planning skills to manage individual and family resources such as food, clothing, shelter, time, and human capital.</p>	<p>11.2.9-12.B Examine strategies for managing individual and family resources such as food, clothing, shelter, health care, recreation, transportation, time, and human capital.</p>
<p>Housing and interior design</p>	<p>Intentionally blank</p>	<p>11.2.3-5.C Explain the importance of organizing space for efficiency.</p>	<p>11.2.6-8.C Apply elements of design to create products and environments.</p>	<p>11.2.9-12.C Evaluate housing and design concepts and theories, including sustainability and universal design, in relation to available resources and options.</p>
<p>Consumer strategies</p>	<p>Intentionally blank</p>	<p>11.2.3-5.D Identify information in care instructions, safety precautions, and recommended use of consumable goods.</p>	<p>11.2.6-8.D Evaluate different strategies to safely obtain and maintain consumer goods and services.</p>	<p>11.2.9-12.D Compare and contrast the selection of goods and services by applying safe and effective consumer strategies.</p>
<p>Textiles, fashion and apparel</p>	<p>11.2.K-2.E Identify resources used for clothing.</p>	<p>11.2.3-5.E Select clothing for specific tasks and/or environment.</p>	<p>11.2.6-8.E Assess effects of design construction, care, use, and maintenance of textiles.</p>	<p>11.2.9-12.E Demonstrate skills needed to produce, alter, and repair textiles and fashion apparel.</p>

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Laundering	11.2.K-2.F Identify how to care for clothing.	11.2.3-5.F Select proper laundering methods for clothing and other textiles.	11.2.6-8.F Demonstrate laundering processes aligned with industry standards and regulations.	11.2.9-12.F Analyze procedures for the selection of textiles, chemicals, and equipment associated with laundry.
Career	Intentionally blank	11.2.3-5.G Identify career choices in the field of Family and Consumer Sciences.	11.2.6-8.G Investigate career choices within resource management, including human, environmental, textiles and apparel, and consumer products in the field of Family and Consumer Sciences.	11.2.9-12.G Analyze the career paths within resource management, including human, environmental, and consumer products, in the field of Family and Consumer Sciences.
3. Human Development, Family, and Relationships				
Role of family	11.3.K-2.A Explain daily activities that fulfill family functions in meeting responsibilities.	11.3.3-5.A Compare how different cultures meet family responsibilities within various family structures.	11.3.6-8.A Analyze the effects of change and family transitions over the life span.	11.3.9-12.A Evaluate the impact of family and its effects on the well-being of individuals and society.
Family life cycle	Intentionally blank	11.3.3-5.B Identify the characteristics of the stages of the family life cycle.	11.3.6-8.B Explain the influences of family life cycle stages on the needs of families and communities.	11.3.9-12.B Hypothesize the impact of present family life cycle trends on the global community.
Interpersonal communications	11.3.K-2.C Identify how to resolve conflict using interpersonal communication skills.	11.3.3-5.C Describe positive and negative interactions within patterns of interpersonal communication.	11.3.6-8.C Justify the significance of interpersonal communication skills in the practical reasoning method of decision-making.	11.3.9-12.C Evaluate the effectiveness of using interpersonal communication skills to resolve conflict.
Human development and well-being	11.3.K-2.D Identify similarities and differences between self and others.	11.3.3-5.D Describe how areas of development impact human growth across the life cycle.	11.3.6-8.D Discuss factors that influence human growth, development, and well-being.	11.3.9-12.D Analyze strategies that promote human growth, development, and well-being.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Careers	Intentionally blank	<p>11.3.3-5.E Identify career and work choices within family and human services.</p>	<p>11.3.6-8.E Investigate career and work choices within family and human services.</p>	<p>11.3.9-12.E Analyze career paths within family and human services.</p>
4. Education and Early Childhood Development				
Developmental stages	Intentionally blank	Intentionally blank	<p>11.4.6-8.A Identify child guidance practices for each stage of child development.</p>	<p>11.4.9-12.A Demonstrate the integration of theories of child development and their impact on parenting and childcare.</p>
Developmental needs	Intentionally blank	Intentionally blank	<p>11.4.6-8.B Identify learning activities that meet the developmental needs of learners.</p>	<p>11.4.9-12.B Demonstrate integration of academic standards that address language, culture, learning styles, and early childhood experiences.</p>
Learning environments	Intentionally blank	<p>11.4.3-5.C Establish the characteristics of a healthy learning environment.</p>	<p>11.4.6-8.C Evaluate various environments to determine if they provide the characteristics of a proper learning environment.</p>	<p>11.4.9-12.C Analyze developmentally appropriate and culturally responsive practices to evaluate early childhood education providers and services.</p>
Health and safety	Intentionally blank	<p>11.4.3-5.D Identify health and safety needs for children at each stage of child development.</p>	<p>11.4.6-8.D Evaluate health and safety hazards relating to children at each stage of child development.</p>	<p>11.4.9-12.D Analyze current issues in health and safety affecting children at each stage of child development.</p>
Literacy	Intentionally blank	Intentionally blank	<p>11.4.6-8.E Explain how storytelling, story reading, and writing enhance literacy development in children.</p>	<p>11.4.9-12.E Identify characteristics of quality literature for children that develop the child's imagination, creativity, reading, and writing skills.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Collaborative relationships	11.4.K-2.F Identify community resources and services.	Intentionally blank	11.4.6-8.F Evaluate support systems that provide services for parents and families.	11.4.9-12.F Demonstrate skills for building and maintaining positive collaborative relationships with children, youth, and adults in their family, school, and community environments.
Careers	Intentionally blank	Intentionally blank	11.4.6-8.G Investigate career choices within early childhood, education, and other careers in the field.	11.4.9-12.G Analyze career paths within education and early childhood.
5. Personal Finance and Consumer Skills				
Consumer rights and responsibilities	11.5.K-2.A Describe self as consumer.	11.5.3-5.A Explain consumer rights and responsibilities: <ul style="list-style-type: none"> • To be safe, • To be informed, • To be heard, • To choose, • To redress. 	11.5.6-8.A Explain how consumer rights and responsibilities are protected.	11.5.9-12.A Analyze factors including socioeconomic and cultural influences that affect consumer advocacy
Financial planning and budgeting	Intentionally blank	11.5.3-5.B Define the difference between a short-term and long-term goal.	11.5.6-8.B Develop short-term and long-term financial goals for a family budget.	11.5.9-12.B Demonstrate the ability to manage and maintain individual and family budgets.
Financial planning and budgeting	Intentionally blank	Intentionally blank	Intentionally blank	11.5.9-12.C Analyze components of a family financial planning process that reflect the distinction between wants, needs, values, goals, and economic resources.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Financial resources	Intentionally blank	11.5.3-5.D Explain the relationship between work and income within the family.	11.5.6-8.D Compare/evaluate the financial advantages and disadvantages of various incomes.	11.5.9-12.D Demonstrate the ability to use knowledge and skills to manage one's income, spending, and savings effectively for a lifetime of financial security.
Careers	Intentionally blank	Intentionally blank	11.5.6-8.E Investigate career choices within financial service industries.	11.5.9-12.E Analyze career paths within financial service industries.
6. Career, Community, and Family Connections				
Action plans	Intentionally blank	11.6.3-5.A Identify the importance of routines and schedules while differentiating between short- and long-term goals.	11.6.6-8.A Explain the FCCLA action planning procedure and how to apply it to family, work, and community decisions.	11.6.9-12.A Evaluate the effectiveness of action plans that integrate personal, work, family, and community responsibilities.
Teamwork and leadership	Intentionally blank	11.6.3-5.B Classify the components of effective teamwork and leadership.	11.6.6-8.B Assess the use of teamwork and leadership skills in accomplishing the work of families and communities.	11.6.9-12.B Analyze teamwork and leadership skills and their application in various family dynamics and employability skills.
Role of technology	Intentionally blank	11.6.3-5.C Describe the roles of technology within the family and community in maintaining a safe and healthy living environment.	11.6.6-8. Assess the use of technology and its effect on the quality of life.	11.6.9-12.C Analyze and evaluate emerging technologies that impact individuals, families, and communities.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Service providers	Intentionally blank	<p>11.6.3-5.D Identify the public and nonpublic services that are available to serve families within the community.</p>	Intentionally blank	<p>11.6.9-12.D Analyze how public, nonpublic, and for-profit service providers serve the family.</p>

(Editor’s Note: Appendix E, which appears in 22 Pa. Code pages 4-355—4-375, serial pages (320291) to (320300), (371245), (320303) to (320310) and (371247), is proposed to expire July 1, 2026, and the academic standards for Career Education and Work in proposed Appendix E-1 are proposed to apply on and after that date.)

APPENDIX E

Academic Standards for Career Education and Work

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(Editor’s Note: Appendix E, which appears in 22 Pa. Code pages 4-355—4-375, serial pages (320291) to (320300), (371245), (320303) to (320310) and (371247), is proposed to expire July 1, 2026, and the academic standards for Career Education and Work in proposed Appendix E-1 are proposed to apply on and after that date.)

APPENDIX E-1

Academic Standards for Career Education and Work

Grades K—12

Pennsylvania’s economic future depends on having a well-educated and skilled workforce. Career Education and Work standards reflect the increasing complexity and sophistication that students experience as they progress through school, focusing on the skills and continuous learning and innovation required for students to succeed in a rapidly changing workplace. The standards are written as grade-banded standards built around the concepts of career awareness and exploration, employability skills, growth and advancement, and personal interests and career planning.

<i>Number</i>	<i>Areas</i>
13.1	Career Awareness and Exploration
13.2	Employability Skills
13.3	Growth and Advancement
13.4	Personal Interests and Career Planning

Grades 9 to 12

Grades 6 to 8

Grades 3 to 5

Kindergarten to Grade 2

1. Career Awareness and Exploration

<p>Educational requirements and opportunities</p>	<p>13.1.K-2.A Identify that there are different ways to prepare for careers.</p>	<p>13.1.3-5.A Investigate how people prepare for different careers that may include various levels of education, experiences, and training.</p>	<p>13.1.6-8.A Analyze the relationship of school subjects, extracurricular activities, and community experiences to career preparation.</p>	<p>13.1.9-12.A Analyze the relationship between career choices and career preparation opportunities to choose a path.</p>
<p>Entrepreneurship</p>	<p>Intentionally blank</p>	<p>13.1.3-5.B Define entrepreneurship and identify the risks and rewards of self-employment.</p>	<p>13.1.6-8.B Compare and contrast entrepreneurship and other self-employment opportunities to other employment types.</p>	<p>13.1.9-12.B Analyze entrepreneurship and other self-employment opportunities as they relate to personal career goals and corporate opportunities.</p>
<p>Factors in career decisions</p>	<p>13.1.K-2.C Describe the work done by community helpers and business owners.</p>	<p>13.1.3-5.C Describe external factors that influence career choices, such as, but not limited to:</p> <ul style="list-style-type: none"> • Geographic location • Salaries/benefits • Work schedule • Working conditions 	<p>13.1.6-8.C Compare and contrast multiple careers using a variety of career research resources.</p>	<p>13.1.9-12.C Analyze external factors that impact employment opportunities, such as, but not limited to:</p> <ul style="list-style-type: none"> • Competition • Global influences • Job growth • Job openings • Labor supply • Potential advancement • Potential earnings

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Substrand Local, national, and global labor market	13.1.K-2.D Describe what a job is and the reasons people may have jobs.	13.1.3-5.D Identify the range of jobs available in the community.	13.1.6-8.D Use multiple resources or tools to research the job availability in a local, national, and global job market.	13.1.9-12.D Describe employment outlook, organized by in-demand occupations, clusters, pathways, or other methods.
Resources in school and community	Intentionally blank	13.1.3-5.E Explain the benefits of participating in hands-on career awareness/preparation activities.	13.1.6-8.E Identify and participate in school- and community-based opportunities for career awareness/preparation.	13.1.9-12.E Utilize school- and community-based opportunities for career awareness/preparation.
Rights of workers	Intentionally blank	13.1.3-5.F Explain why employers pay people for their labor.	13.1.6-8.F Understand what labor laws are and how they impact worker wages and safety.	13.1.9-12.F Examine basic labor laws to determine the rights and responsibilities of both employers and employees.
2. Employability Skills				
Critical thinking and problem solving	13.2.K-2.A Practice solving problems individually and in groups.	13.2.3-5.A Develop the traits needed to solve problems.	13.2.6-8.A Apply critical thinking to solve real-life problems.	13.2.9-12.A Identify solutions to existing conditions or problems using critical thinking skills.
Oral and written communication	13.2.K-2.B Use context clues to identify how communication varies within different social situations in varied environments.	13.2.3-5.B Use context clues to determine how communication varies within different social situations in varied environments.	13.2.6-8.B Develop formal communication that demonstrates professional etiquette and observes social protocols when communicating verbally, and in writing.	13.2.9-12.B Use professional etiquette and observe social protocols when communicating verbally, nonverbally, and in writing.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Teamwork and collaboration	13.2.K-2.C Demonstrate cooperation and positive interactions with classmates, recognizing that people have different backgrounds, experiences, and beliefs.	13.2.3-5.C Demonstrate the ability to work well in group or team interactions, recognizing that people have different backgrounds, experiences, and beliefs.	13.2.6-8.C Practice effective group interactions, acknowledging people's different backgrounds, experiences, and beliefs.	13.2.9-12.C Demonstrate shared responsibility for collaborative work and the value of contributions made by team members with various perspectives.
Technology	13.2.K-2.D Demonstrate proper and safe Internet use.	13.2.3-5.D Demonstrate proper and safe Internet use.	13.2.6-8.D Demonstrate proficient use of technologies by using various types of technology.	13.2.9-12.D Use job-specific technologies to accomplish work responsibilities in a productive manner.
Time and project management	13.2.K-2.E Discuss how time is structured at home and school.	13.2.3-5.E Develop a personal schedule based on activities and responsibilities at both home and school.	13.2.6-8.E Demonstrate effective time and project management strategies.	13.2.9-12.E Evaluate time and project management strategies and their application to both personal and work situations.
Entrepreneurial mindset	Intentionally blank	13.2.3-5.F List and describe several characteristics of the Entrepreneurial Mindset characteristics.	13.2.6-8.F Explain how Entrepreneurial Mindset characteristics and skills can help one be successful in their career.	13.2.9-12.F Apply Entrepreneurial Mindset characteristics and skills to school, work, and extracurricular environments.
3. Growth and Advancement				
Career growth	13.3.K-2.A Communicate an original opinion and describe the justification for that opinion.	13.3.3-5.A Identify situations that may require self-advocacy, such as: personal preference, values, etc.	13.3.6-8.A Identify factors that may inform decisions for career changes, such as loss of employment, lifestyle changes, workplace conflicts, work value changes, and job market changes.	13.3.9-12.A Develop strategies for navigating career and life transitions, such as coping with loss of employment, resigning from a job, negotiating a raise or promotion, and employing transferable skills.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Lifelong learning	<p>13.3.K-2.B Recognize the importance of improving skills and learning new ones.</p>	<p>13.3.3-5.B Reflect on skill improvement and identify opportunities to build new skills.</p>	<p>13.3.6-8.B Explain how decisions regarding education, skill building, and work impact other major life decisions.</p>	<p>13.3.9-12.B Identify sources of lifelong learning to strengthen existing skills, develop new skills, and maximize career growth.</p>
Strategic goals	<p>13.3.K-2.C Set and achieve a goal.</p>	<p>13.3.3-5.C Set and achieve S.M.A.R.T. goals.</p>	<p>13.3.6-8.C Practice feedback and personal reflection to evaluate success towards setting and completing goals.</p>	<p>13.3.9-12.C Incorporate feedback and personal reflection to evaluate success towards completing goals and determine a next course of action.</p>
Work ethic	<p>13.3.K-2.D Build an awareness of the importance of a positive work ethic as a means to learn and grow.</p>	<p>13.3.3-5.D Identify attributes of a positive work ethic.</p>	<p>13.3.6-8.D Demonstrate a positive work ethic.</p>	<p>13.3.9-12.D Analyze and reflect upon the efficacy of your work ethic.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
4. Personal Interests and Career Planning				
Develop a personal brand	13.4.K-2.A Describe qualities of people who are successful.	13.4.3-5.A Identify personal strengths and successes.	13.4.6-8.A Identify ways to market yourself as a job candidate.	13.4.9-12.A Strategically market yourself as a job candidate.
Identify personal interests	13.4.K-2.B Identify current interests and skills.	13.4.3-5.B Connect personal interests and abilities to potential career choices.	13.4.6-8.B Relate careers to personal interests, abilities, and aptitudes.	13.4.9-12.B Evaluate career options based on personal interests, abilities, aptitudes, achievements, and goals.
Research careers	Intentionally blank	13.4.3-5.C Discuss resources available in researching career opportunities.	13.4.6-8.C Evaluate a variety of methods to research careers that align with personal interests, values, strengths, and career goals.	13.4.9-12.C Use a variety of methods to research careers that align with personal interests, values, strengths, and career goals.
Understand a career path	13.4.K-2.D Explain how workers in their careers use what is learned in the classroom.	13.4.3-5.D Document personal interests, abilities, and academic strengths.	13.4.6-8.D Build a career plan to describe planned action steps that may include, but not be limited to: <ul style="list-style-type: none"> • Electives • Extracurricular activities • Coursework • Career interests • Strengths and abilities • Educational and training opportunities 	13.4.9-12.D Evolve career plan to enact additional action steps that may include, but not be limited to: <ul style="list-style-type: none"> • Electives • Extracurricular activities • Coursework • Career interests • Strengths and abilities • Educational and training opportunities • Work-based learning • Industry-recognized credentials

(Editor’s Note: Appendix F is proposed to apply beginning July 1, 2026.)

APPENDIX F

Academic Standards for Personal Finance

Grades K—12

Overview

Personal Finance focuses on the fundamentals of personal finance, income, spending, saving and investing, risk and insurance, and credit, with a goal to develop individuals who can manage their personal finances. Personal finance is also known as personal financial literacy and financial literacy. The standards are written as grade-banded standards built around the areas below and topics that make up the areas of study.

<i>Number</i>	<i>Areas</i>
17.1	Personal Finance Fundamentals
17.2	Income
17.3	Spending
17.4	Saving and Investing
17.5	Risk and Insurance
17.6	Credit

Grades 9 to 12

Grades 6 to 8

Grades 3 to 5

Kindergarten to Grade 2

1. Personal Finance Fundamentals

Financial goal setting and decision making	17.1.K-2.A Identify short-term financial goals and steps people can take to achieve them.	17.1.3-5.A Describe reasons people set financial goals.	17.1.6-8.A Compare short-, intermediate-, and long-term financial goals.	17.1.9-12.A Determine the financial impact of various long-term goals (e.g., lifestyle, family, education).
	17.1.K-2.B Explain how limited personal financial resources affect the choices people make.	17.1.3-5.B Identify the opportunity cost of various financial decisions, including ones related to earning, spending, and saving.	17.1.6-8.B Explain why the opportunity cost of a decision might differ from one person or situation to another.	17.1.9-12.B Apply a systematic decision-making process, including opportunity costs, to setting and achieving financial goals.
Financial mindset and behaviors	17.1.K-2.C Describe how friends and family can impact a person's attitudes toward money.	17.1.3-5.C Explain how life circumstances and experiences can alter attitudes toward money.	17.1.6-8.C Analyze how people differ in their attitudes toward money.	17.1.9-12.C Analyze the impact of various factors on a person's financial mindset and decisions.
	Intentionally blank	17.1.3-5.D Identify financial decisions people make that may not be in their best interest.	17.1.6-8.D Describe behavioral biases that can affect financial decisions.	17.1.9-12.D Evaluate strategies for dealing with behavioral biases and other obstacles to managing personal finances.
	Intentionally blank	17.1.3-5.E Describe conversations people have about money.	17.1.6-8.E Describe important financial conversations people have and with whom they have them.	17.1.9-12.E Assess the value of sharing financial goals and information with others.

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Financial services	17.1.K-2.F Describe ways people use financial institutions (e.g., depositing money, obtaining cash).	17.1.3-5.F Identify products and services provided by financial institutions.	17.1.6-8.F Identify personal information needed to establish a financial account.	17.1.9-12.F Compare various financial service providers (e.g., banks, credit unions, check cashers, brokerage firms) and the types of accounts and services each provides.
	Intentionally blank	Intentionally blank	Intentionally blank	17.1.9-12.G Communicate the process of opening financial accounts and the factors to consider when selecting financial institutions and professionals.
Financial record keeping	Intentionally blank	Intentionally blank	Intentionally blank	17.1.9-12.H Evaluate the use of financial technology to access financial services and make financial decisions.
	Intentionally blank	Intentionally blank	17.1.6-8.I Describe information people document and track for their personal finances.	17.1.9-12.I Develop a system for documenting and organizing personal financial records, both paper and electronic.
	Intentionally blank	Intentionally blank	Intentionally blank	17.1.9-12.J Explain the financial implications of wills, powers of attorney, and naming beneficiaries for various accounts.
	Intentionally blank	Intentionally blank	Intentionally blank	

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Consumer protection	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.1.9-12.K Explain the role of various state and federal financial regulators and consumer protection agencies.</p> <p>17.1.9-12.L Describe the issues addressed by various laws and regulations that impact or safeguard a person's finances.</p>
2. Income				
Sources of income	<p>17.2.K-2.A Identify reasons people and households require income.</p>	<p>17.2.3-5.A Describe how people receive income (e.g., work, gifts, renting property to others).</p>	<p>17.2.6-8.A Compare compensation methods, including hourly wage, salary, commission, tips, and piecework.</p>	<p>17.2.9-12.A Explain various types of income (e.g., earned, unearned, passive, active) and their sources (e.g., work, rentals, investments, government programs).</p> <p>17.2.9-12.B Describe sources of retirement income and how they relate to individual investment choices, employer-sponsored retirement plans, and government programs.</p>
Factors influencing income	Intentionally blank	Intentionally blank	<p>17.2.6-8.C Analyze connections between the amount individuals might earn in various careers and the education or training that is required.</p>	<p>17.2.9-12.C Use data to support an individual's decision to obtain or forgo post-secondary education based on the associated costs and anticipated future income.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	Intentionally blank	Intentionally blank	<p>17.2.6-8.D Compare ways people pay for education and training, including scholarships, grants, savings, military service, apprenticeships, and loans.</p>	<p>17.2.9-12.D Research options to pay for education and training, ways to reduce the total cost, and steps needed to obtain financial aid.</p>
	Intentionally blank	Intentionally blank	<p>17.2.6-8.E Explain factors that may impact a person's future income and employment status, including changes in technology, demand for workers, and the cost of post-secondary education.</p>	<p>17.2.9-12.E Evaluate the impacts of technology, labor markets, and economic conditions and trends on a person's employment potential.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.2.9-12.F Explain the impact of employee benefits (e.g., health insurance, retirement savings plans, education reimbursement programs) on an individual's finances.</p>
Self-employment and supplemental income	<p>17.2.K-2.G Identify ways people earn income through entrepreneurship.</p>	<p>17.2.3-5.G Describe how people earn income through entrepreneurial employment.</p>	<p>17.2.6-8.G Compare various forms of self-employment.</p>	<p>17.2.9-12.G Analyze the financial impact of a person's decision to own a business, work as an independent contractor, or be employed.</p>
Income and payroll taxes	Intentionally blank	Intentionally blank	<p>17.2.6-8.H Interpret a pay statement and explain the relationship between gross pay, net pay, and payroll deductions.</p>	<p>17.2.9-12.H Calculate the impact of taxes and payroll deductions on income.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.2.9-12.I Complete various federal, state, and local tax forms.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	3. Spending			
Spending decisions	<p>17.3.K-2.A Describe spending choices people make in everyday life and factors that influence them.</p>	<p>17.3.3-5.A Explain factors that influence a person's spending decisions and the impact these has on how they prioritize their wants.</p>	<p>17.3.6-8.A Demonstrate making an informed purchase decision by evaluating price, product claims, and information from a variety of sources.</p>	<p>17.3.9-12.A Develop a process for making informed spending decisions, including factors to consider (e.g., product features, price, durability, environmental or societal impact, reliability of information).</p>
	Intentionally blank	Intentionally blank	<p>17.3.6-8.B Apply mathematical skills to assess the impact of various ways retailers express prices (e.g., coupons, discounts, unit price).</p>	<p>17.3.9-12.B Compare ways people can lower the price they pay for goods and services (e.g., online tools, discount retailers, negotiating, secondhand items).</p>
Developing a budget	<p>17.3.K-2.C Differentiate between money that is received and money that is spent.</p>	<p>17.3.3-5.C Provide examples of household spending and sources of income.</p>	<p>17.3.6-8.C Compare ways people organize and track their spending and income.</p>	<p>17.3.9-12.C Develop a personal approach to keeping track of income and spending.</p>
	<p>17.3.K-2.D Describe how people use money for different purposes, including spending, saving, and sharing with others.</p>	<p>17.3.3-5.D Construct a simple budget (e.g., for a family, individual, or school event).</p>	<p>17.3.6-8.D Explain the components of a personal budget (e.g., income, expenses, planned savings) and how budgeting can help people achieve their financial goals.</p>	<p>17.3.9-12.D Evaluate various budgeting approaches (e.g., 50-30-20, zero-based) and methods (e.g., envelope system, spreadsheets, online tools).</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.3.9-12.E Create a personal budget to allocate current or future income, including estimates for fixed and variable expenses.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.3.9-12.F Identify methods for adjusting a budget for unexpected expenses or loss of income.</p>
Payment methods	Intentionally blank	<p>17.3.3-5.G Explain various payment methods (e.g., cash, checks, gift cards, debit cards, credit cards).</p>	<p>17.3.6-8.G Describe the advantages and disadvantages of using various payment methods (e.g., cash, checks, gift cards, debit cards, credit cards, mobile payments).</p>	<p>17.3.9-12.G Compare the effects of using various payment methods when making purchases.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.3.9-12.H Compare various approaches to paying bills, including making automated payments and ensuring bills are paid on time.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.3.9-12.I Describe the impact of technology on payment methods and how it influences spending.</p>
Major life purchases	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.3.9-12.J Analyze a housing decision, including comparing renting and buying, upfront and ongoing costs, and the process of obtaining a mortgage or a lease.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	Intentionally blank	Intentionally blank	Intentionally blank	17.3.9-12.K Justify the purchase or lease of a vehicle and the alternatives considered (e.g., new versus used, total cost of ownership or use).
Sales and Property Taxes	Intentionally blank	17.3.3-5.L Identify taxes applied to certain purchases.	17.3.6-8.L Calculate the sales tax for various types of purchases.	17.3.9-12.L Analyze the impact of paying sales, excise, and property taxes on financial decisions.
Charitable Giving	17.3.K-2.M Identify items people might give to someone else or donate to charity.	17.3.3-5.M Identify reasons people participate in fundraising efforts and the causes they support.	17.3.6-8.M Describe ways people support charitable organizations by donating money, items, and time.	17.3.9-12.M Justify a decision to participate in or forgo a fundraising effort based on the organization and cause.
4. Saving and Investing				
Asset building	17.4.K-2.A Describe things people own (e.g., toys, home, money).	17.4.3-5.A Identify items that might increase or decrease in value over time.	17.4.6-8.A Explain the change in value over time of various assets.	17.4.9-12.A Calculate a person's net worth given their assets and liabilities.
Saving	17.4.K-2.B Describe reasons people save money for the future rather than spend it now.	17.4.3-5.B Describe a variety of savings goals and the factors that influence them.	17.4.6-8.B Describe the process of creating, implementing, and adapting a personal savings plan.	17.4.9-12.B Develop a savings plan for accomplishing personal short- and long-term financial goals.
	17.4.K-2.C Identify ways children can keep their money safe and avoid losing it.	17.4.3-5.C Identify reasons people deposit money to be saved in accounts at financial institutions and factors they might consider when selecting a financial institution.	17.4.6-8.C Use different methods and tools to calculate the growth in savings given various scenarios (e.g., simple versus compound interest, starting age, years to save, and interest rates).	17.4.9-12.C Compare the features of various savings vehicles (e.g., savings accounts, certificates of deposit, money market accounts) and the interest rates offered by several institutions.

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Investing	Intentionally blank	Intentionally blank	<p>17.4.6-8.D Describe similarities and differences between saving and investing.</p> <p>17.4.6-8.E Identify publicly traded companies, the goods and services they produce, and their current stock prices.</p> <p>17.4.6-8.F Identify factors influencing investment planning (e.g., age, income, debt, assets, goals, family size, risk tolerance).</p> <p>17.4.6-8.G Describe how people make money through investing (e.g., buying low and selling high, earning dividends, buy and hold).</p>	<p>17.4.9-12.D Explain factors that contribute to rates of return for various investments, including risk, inflation, and taxes.</p> <p>17.4.9-12.E Explain the similarities and differences between stocks, bonds, mutual funds, and exchange-traded funds, and the factors that influence price fluctuations for each.</p> <p>17.4.9-12.F Describe factors to consider when selecting sources of investment advice and trading methods (e.g., online trading platforms, financial advisors, robo-advisors).</p> <p>17.4.9-12.G Explain how popular benchmark indices are used.</p> <p>17.4.9-12.H Recommend an investment portfolio diversified to meet specific goals, including purpose, starting age, time horizon, and tolerance for risk.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.4.9-12.I Compare retirement-specific investment options, including employer-sponsored plans, Roth and traditional individual retirement accounts, and accounts available to people who are self-employed.</p>
Investing risk tolerance	Intentionally blank	Intentionally blank	<p>17.4.6-8.J Assess the impact of values and attitudes, including tolerance for risk, on saving and investing decisions.</p>	<p>17.4.9-12.J Analyze personal attitudes towards risk and how these might impact future investment decisions and outcomes.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.4.9-12.K Describe methods to avoid or counteract the potentially negative impacts of behavioral biases on investment decisions.</p>
5. Risk and Insurance				
Risk identification and management	<p>17.5.K-2.A Identify risks in everyday situations.</p>	<p>17.5.3-5.A Describe how unexpected events could impact a person's finances (e.g., floods, automobile accidents, illness).</p>	<p>17.5.6-8.A Provide examples of financial risks people face (e.g., losing a job, needing to replace damaged property, paying medical expenses).</p>	<p>17.5.9-12.A Evaluate a person's potential for financial risk (e.g., loss of personal property, reduction in income, liability).</p>
	<p>17.5.K-2.B Explain ways to avoid or reduce risks.</p>	<p>17.5.3-5.B Explain how emergency savings can be used to offset losses from unexpected events.</p>	<p>17.5.6-8.B Describe how people manage the risk of financial loss through risk avoidance, reduction, retention, and transfer.</p>	<p>17.5.9-12.B Critique approaches to avoiding, reducing, retaining, and transferring risk given a particular scenario.</p>

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Insurance	Intentionally blank	<p>17.5.3-5.C Provide examples of insurance people buy in order to transfer financial risk (e.g., health, auto, flood).</p>	<p>17.5.6-8.C Compare various types of insurance and what is typically covered by each.</p>	<p>17.5.9-12.C Formulate insurance recommendations based on individual needs, situations, and preferences, including but not limited to automotive, homeowners, renters, health, life, and disability, as justified.</p>
	Intentionally blank	Intentionally blank	<p>17.5.6-8.D Describe factors that impact the amount an individual can expect to pay for insurance (e.g., coverage types and amounts, age, location, driving record).</p>	<p>17.5.9-12.D Use information from various sources to compare insurance providers, plans, and prices.</p>
	Intentionally blank	Intentionally blank	<p>17.5.6-8.E Defend decisions to purchase or forgo insurance, extended warranties, and service contracts.</p>	<p>17.5.9-12.E Formulate a process of comparing insurance products, determining out-of-pocket costs, and filing claims.</p>
	Intentionally blank	Intentionally blank	<p>17.5.6-8.F Describe how insurance works by pooling the premiums of many policyholders in order to pay for claims.</p>	<p>17.5.9-12.F Describe circumstances in which a person may be required to show proof of insurance or obtain a minimum amount of coverage.</p>
	Intentionally blank	Intentionally blank	Intentionally blank	<p>17.5.9-12.G Evaluate the impact of public insurance programs for individuals facing financial hardship (e.g., Medicare, Medicaid, and unemployment).</p>

	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
Financial fraud and identity theft	17.5.K-2.H Give examples of personal information that should be kept private.	17.5.3-5.H Predict the financial consequences of sharing personal information.	17.5.6-8.H Describe strategies people can use to protect their personally identifiable information.	17.5.9-12.H Analyze trends in financial fraud and strategies to avoid becoming a victim.
	Intentionally blank	Intentionally blank	Intentionally blank	17.5.9-12.I Research the agencies individuals can contact and steps they can take to address financial fraud and scams, including identity theft.
6. Credit				
Credit use and benefits	17.6.K-2.A Describe the process of borrowing items or money from someone else.	17.6.3-5.A Identify traits that could impact a person's ability to borrow items or money.	17.6.6-8.A Explain how credit is established and tracked over time for an individual.	17.6.9-12.A Evaluate pathways to obtaining credit and what lenders look for in a borrower (e.g., character, capacity, capital, collateral).
	Intentionally blank	Intentionally blank	Intentionally blank	17.6.9-12.B Describe how credit reports and scores are determined, used, and improved.
Types of credit	Intentionally blank	17.6.3-5.C Identify goods and services people often pay for over time using credit.	17.6.6-8.C Discuss various forms of credit and their uses (e.g., credit cards, home loans, auto loans, student loans).	17.6.9-12.C Compare various forms of credit and how each is used (e.g., secured and unsecured loans, installment and revolving credit, service credit).
	Intentionally blank	Intentionally blank	Intentionally blank	Intentionally blank

Substrand	Kindergarten to Grade 2	Grades 3 to 5	Grades 6 to 8	Grades 9 to 12
	Intentionally blank	<p>17.6.3-5.D Describe how using a credit card is a form of borrowing.</p>	<p>17.6.6-8.D Summarize the differences between credit cards and debit cards.</p>	<p>17.6.9-12.D Analyze the use of loans to finance higher education and home purchases, how they are obtained, and options for paying them back.</p>
Costs of credit	<p>17.6.K-2.E Identify potential advantages and disadvantages of borrowing from others.</p>	<p>17.6.3-5.E Explain why borrowers might be asked to repay more than they initially borrowed (e.g., interest, fees).</p>	<p>17.6.6-8.E Analyze factors that influence the total cost of paying with credit, including interest rates, fees, repayment period, and source of credit.</p>	<p>17.6.9-12.E Calculate the total cost of credit given a variety of situations (e.g., making minimum payments, paying fees, using alternative financial service providers).</p>
	Intentionally blank	Intentionally blank	<p>17.6.6-8.F Explain why potential borrowers could reach different conclusions about the use of credit, including how much debt constitutes overborrowing.</p>	<p>17.6.9-12.F Describe the consequences of failing to repay debts and sources of debt management assistance.</p>
Credit rights and responsibilities	Intentionally blank	Intentionally blank	<p>17.6.6-8.G Explain why lenders must provide borrowers with certain information (e.g., interest rates, annual percentage rates, fees, terms, conditions).</p>	<p>17.6.9-12.G Evaluate various rights and laws related to credit and their impact on consumers.</p>

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Environmental Protection

The Executive Board approved a reorganization of the Department of Environmental Protection effective June 3, 2024.

The organization chart at 54 Pa.B. 3405 (June 15, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 24-823. Filed for public inspection June 14, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Revenue

The Executive Board approved a reorganization of the Department of Revenue effective June 3, 2024.

The organization chart at 54 Pa.B. 3406 (June 15, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 24-824. Filed for public inspection June 14, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Office of the Budget

The Executive Board approved a reorganization of the Office of the Budget effective May 30, 2024.

The organization chart at 54 Pa.B. 3407 (June 15, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 24-825. Filed for public inspection June 14, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Pennsylvania Human Relations Commission

The Executive Board approved a reorganization of the Pennsylvania Human Relations Commission effective June 3, 2024.

The organization chart at 54 Pa.B. 3408 (June 15, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 24-826. Filed for public inspection June 14, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

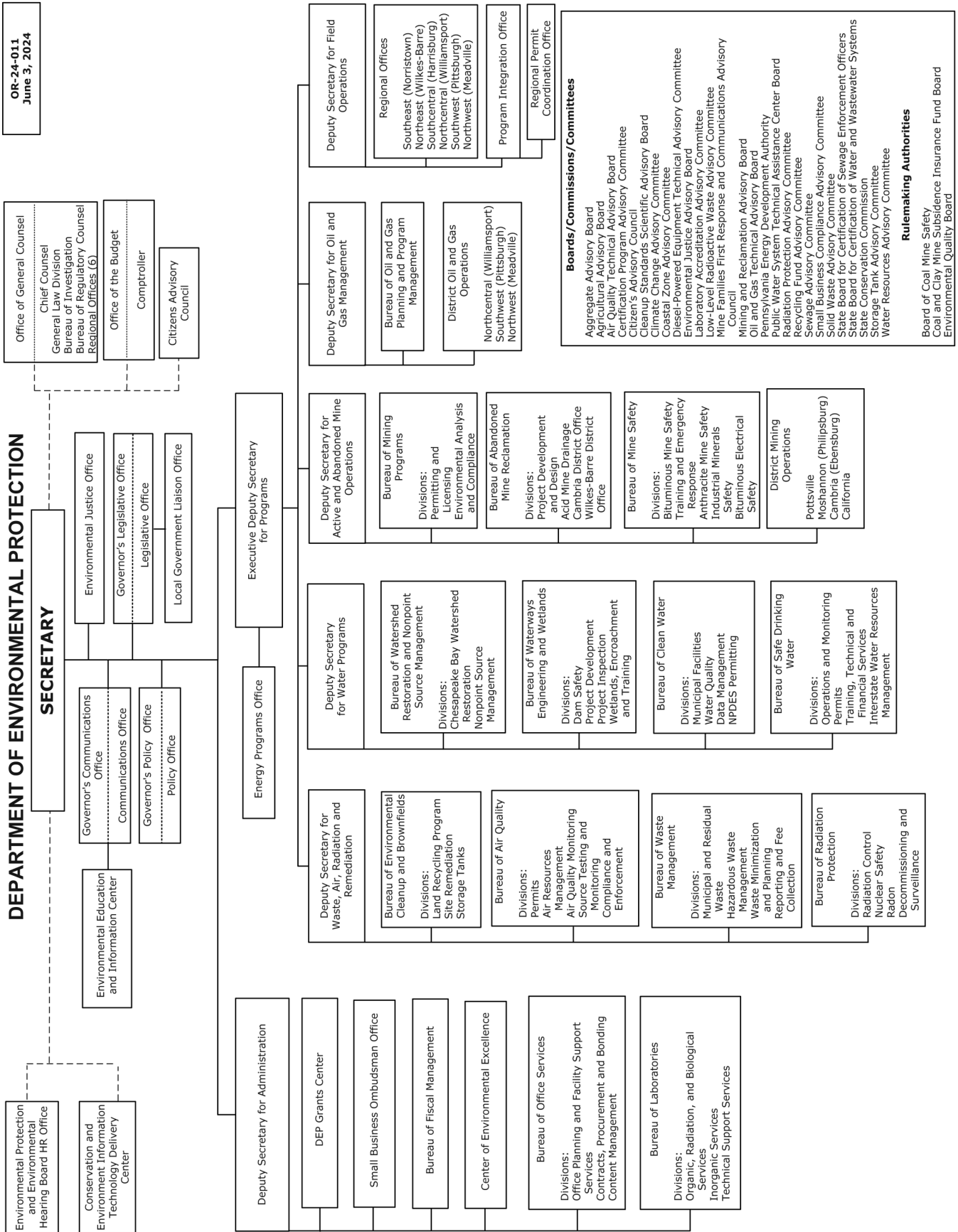
Reorganization of the Pennsylvania Milk Board

The Executive Board approved a reorganization of the Pennsylvania Milk Board effective May 30, 2024.

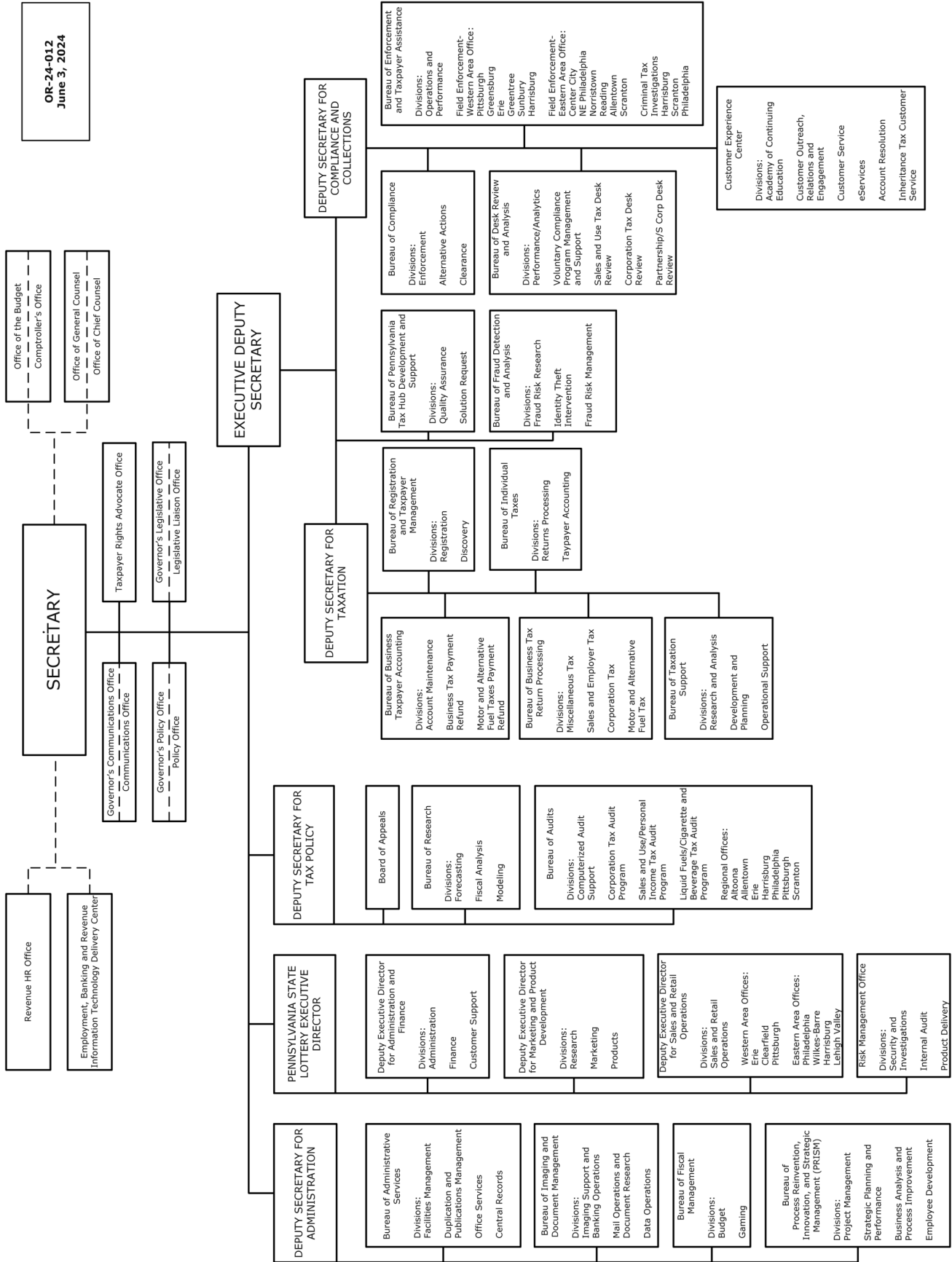
The organization chart at 54 Pa.B. 3409 (June 15, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

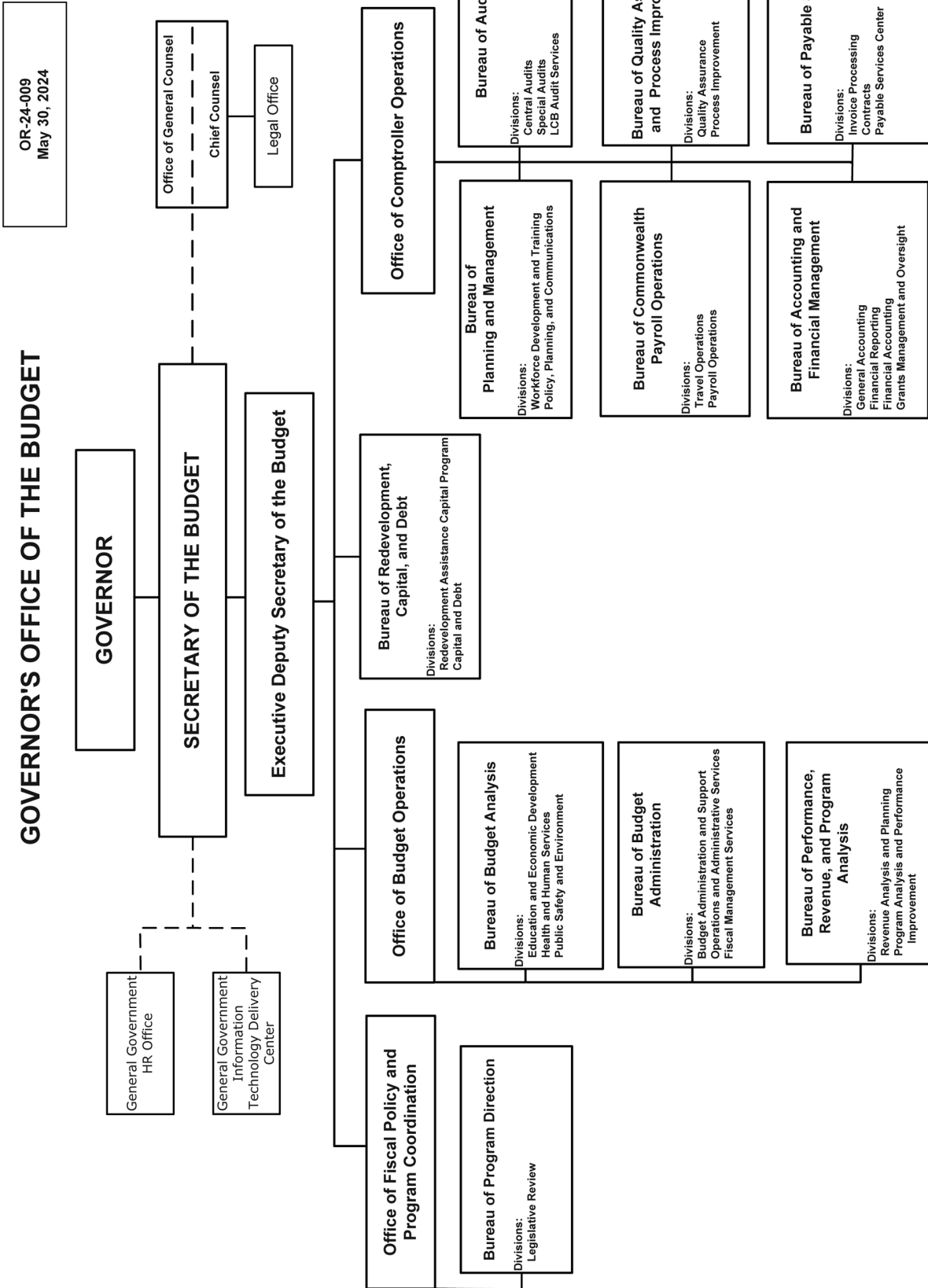
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 24-827. Filed for public inspection June 14, 2024, 9:00 a.m.]

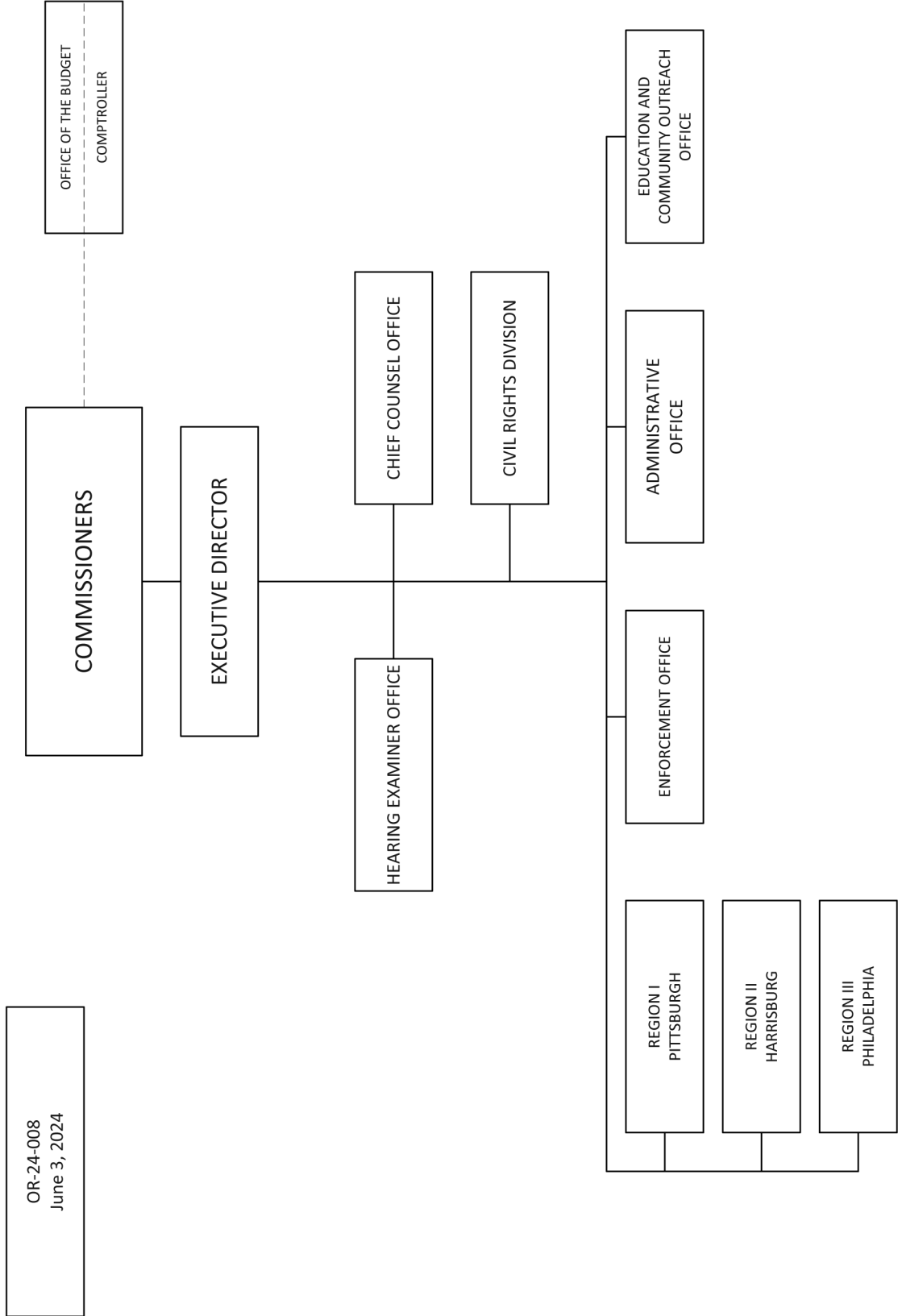


DEPARTMENT OF REVENUE



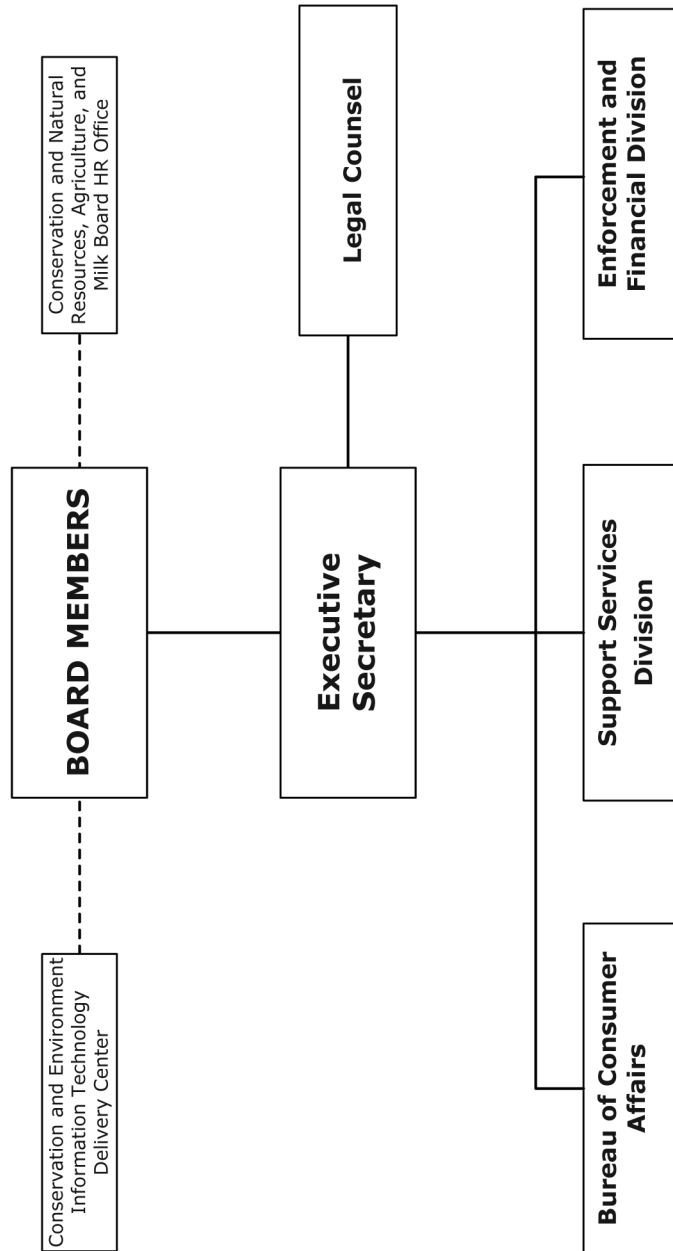


PENNSYLVANIA HUMAN RELATIONS COMMISSION



PENNSYLVANIA MILK BOARD

OR-24-010
May 30, 2024



PENNSYLVANIA BULLETIN

Volume 54

Number 24

Saturday, June 15, 2024 • Harrisburg, PA

Part II

This part contains
the Notices



NOTICES

DEPARTMENT OF AGRICULTURE

Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6809 (relating to commercial value), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.71 per pound
Available phosphate	\$0.60 per pound
Soluble potash	\$0.47 per pound

Further Information

Further information is available by contacting David Husner, Agronomic Program Specialist, Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5216.

Effective Date

These commercial values are effective beginning July 1, 2024, and shall remain effective until further notice.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-828. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Influenza A Viruses in Ruminants; Exhibition of Dairy Cattle

Recitals:

The following recitals set forth and describe the dangerous transmissible disease for which this Quarantine Order is instituted, specify the species of domestic animals affected by and subject to this Quarantine Order, and provides the authority under which this Quarantine Order is established.

A. Influenza A viruses have the potential to mutate and transfer into different host species.

B. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2024.

C. HPAI has caused substantial loss in the past to the Pennsylvania poultry industry and has caused widespread losses to the poultry industry in states in which poultry have been infected.

D. Certain influenza A viruses, including H5 and H7 viruses, can cause severe disease in poultry and other avian species and have also been identified as a cause of clinical disease in other animals, including dairy cattle and juvenile goats. In March 2024, an H5 influenza A virus was identified as a cause of a multistate outbreak of disease in dairy cattle. Clinical signs in dairy cattle include a decrease in feed consumption, with a simultaneous decrease in rumination and rumen motility; respiratory signs including clear nasal discharge; and subse-

quent acute drop in milk production. Additional clinical signs may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have thicker, concentrated, colostrum-like milk or produce no milk at all. The ability of the H5 influenza A virus to be transmitted between poultry and cattle poses a threat to both the poultry and the cattle industries in Pennsylvania by threatening the safety or quality of the food supply and the economic wellbeing of the domestic animal and allied industries. In addition, H5 and H7 influenza A viruses in ruminants may pose a risk to public health due to their zoonotic potential.

E. Section 2321(a) of the Domestic Animal Law (relating to specific dangerous transmissible diseases) (3 Pa.C.S. § 2321(a)) establishes specific transmissible diseases as dangerous transmissible diseases within the meaning of the Domestic Animal Law.

F. Section 2321(d) of the Domestic Animal Law (relating to designation of additional dangerous transmissible disease through temporary order) provides, “Upon the determination that a transmissible disease not listed in subsection (a) and not designated a dangerous transmissible disease through regulation under subsection (b) presents a danger to public health, to domestic animal health, to the safety or quality of the food supply or to the economic wellbeing of the domestic animal industries, the department shall issue a temporary order proclaiming that transmissible disease to be a dangerous transmissible disease within the meaning of this chapter. . .” (3 Pa.C.S. § 2321(d)).

G. The Department amended a previous Temporary Order Designating Dangerous Transmissible Diseases published in the *Pennsylvania Bulletin* on December 2, 2023 (53 Pa.B. 7373) to include “Influenza A Viruses in Ruminants” as a dangerous transmissible disease. The amended Temporary Order was published in the April 20, 2024, edition of the *Pennsylvania Bulletin* (54 Pa.B. 2098) and such designation was effective immediately upon publication of that edition.

H. Section 2329(a) of the Domestic Animal Law (relating to power to establish and enforce), authorizes the Department to establish a Quarantine Order “Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition to the aforescribed domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease. . .and may be applied on or in or against any premises, area or locality as defined in this chapter.” (3 Pa.C.S. § 2329(a)).

I. Section 2329 (related to quarantine) of the Domestic Animal Law (3 Pa.C.S. § 2329) establishes three different types of quarantine orders—Interstate and International

(3 Pa.C.S. § 2329(c)), General (3 Pa.C.S. § 2329(d)) and Special (3 Pa.C.S. § 2329(e))—the Department may impose.

J. Section 2329(d) of the Domestic Animal Law provides specific authority to establish and enforce a general quarantine order “. . . against any area or locality within this Commonwealth for any of the reasons set forth in subsection (a) to prevent a dangerous transmissible disease. . . from being carried into, within, from or out of the area or locality that is subject to the quarantine. A general quarantine order may include any domestic animals, conveyances, containers, goods, products or materials that may carry dangerous transmissible disease. . . and may include any area or locality, including all buildings, structures, premises and equipment located therein.” (3 Pa.C.S.A. § 2329(d)).

Order:

With the foregoing recitals incorporated into this General Quarantine Order by reference, the Department hereby establishes a General Quarantine Order (Quarantine Order) related to exhibition requirements for dairy cattle. This General Quarantine Order is established under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(d). The terms of this Quarantine Order are as follows:

1. Definitions

Accredited Veterinarian (category II). A licensed veterinarian approved by the USDA Administrator in accordance with the provisions of 9 CFR (Code of Federal Regulations) Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation § 161 to perform functions specified in 9 CFR for category II animals (food and fiber animal species; horses; birds; farm-raised aquatic animals; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock).

Animal Exhibition. Any temporary spectacle, display, event, exhibition, or act featuring performing animals including, but not limited to, circuses, pony rides, animal exhibits, weight pull events, and petting zoos. This definition shall exclude permanent zoologic exhibits and Pennsylvania Game Commission menagerie permit holders.

Animal exhibition grounds. The premises on which an animal exhibition is conducted.

Dairy cattle. Cattle belonging to breeds raised for milk production purposes, or crosses thereof, included in the Genus *Bos*.

Lactating cattle. Dairy cattle that are actively producing milk, including those in early, mid, and late phases of the production cycle.

NAHLN laboratory. A state or federal laboratory that is part of the United States Department of Agriculture (USDA) National Animal Health Laboratory Network and is approved by the USDA National Veterinary Service Laboratory (NVSL) to perform regulatory testing for avian influenza in bovine tissues or specimens.

Non-lactating cattle. Dairy cattle that are not currently producing milk. This includes heifers, male cattle, calves, and dry cows.

Venue or Fair. The term shall mean any Fair, show, exhibition, or other such venue within the Commonwealth of Pennsylvania which is sponsored by or receives funding from the Pennsylvania Department of Agriculture or

receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92) (3 P.S. §§ 1501—1510).

Veterinarian-Client-Patient Relationship. A veterinarian-client-patient relationship (VCPR) is defined by the American Veterinary Medical Association as the basis for interaction among veterinarians, their clients, and their patients and is critical to the health of an animal. A VCPR means that all of the following are required:

(a) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the patient and the client has agreed to follow the veterinarian's instructions.

(b) The veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. This means that the veterinarian is personally acquainted with the keeping and care of the patient by virtue of a timely examination of the patient by the veterinarian, or medically appropriate and timely visits by the veterinarian to the operation where the patient is managed.

(c) The veterinarian is readily available for follow-up evaluation or has arranged for the following: veterinary emergency coverage, and continuing care and treatment.

(d) The veterinarian provides oversight of treatment, compliance, and outcome.

(e) Patient records are maintained.

2. *Quarantine Area.* The area covered by this General Quarantine Order is the entire Commonwealth of Pennsylvania.

3. *Prohibitions and requirements for exhibition of dairy cattle.* The prohibitions and requirements as described in section 3.a. and 3.b. will be in effect if a case of influenza A in dairy cattle has been confirmed in the Commonwealth of Pennsylvania and until Pennsylvania has been declared free of influenza A in dairy cattle by the State Animal Health Official.

(a) *Prohibition of exhibition of dairy cattle.*

(1) Dairy cattle from a premises on which dairy animals are showing clinical signs of infection with influenza A virus are prohibited from entering an exhibition. Clinical signs may include a decrease in feed consumption with a simultaneous decrease in rumination and rumen motility; respiratory signs including clear nasal discharge; and subsequent acute drop in milk production. Additional clinical signs may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have thicker, concentrated, colostrum-like milk or produce no milk at all. Animals showing clinical signs compatible with infection must be cleared by the State Animal Health Official.

(2) Dairy cattle which have been on a premises where influenza A virus has been confirmed in dairy cattle are prohibited from entering an exhibition until that premises has been declared free of disease by the State Animal Health Official.

(3) Dairy cattle which have been on a premises where influenza A virus has been confirmed in domestic birds are prohibited from entering an exhibition until that premises has been declared free of disease by the State Animal Health Official.

(4) Dairy cattle which have been on a premises which is located within a three-kilometer area of a premises where influenza A virus has been confirmed in domestic birds are prohibited from entering an exhibition until the

State Animal Health Official has declared that area as free of disease, based on epidemiological investigation and surveillance testing.

(b) *Testing requirements.*

(1) The dairy cattle shall have been part of a biosecure assembled group for a period of at least 30 days prior to the date of sample collection in accordance with subsection (2) below. New dairy cattle may not have been added to the herd or group within the 30-day period preceding the date of sample collection, or after the date of sample collection and before movement.

(2) Individual dairy cattle 18 months of age and older shall be tested within the seven days prior to the date of arrival on the animal exhibition grounds.

i. *Lactating dairy animals*—A milk specimen shall be collected from each lactating dairy cow for testing in accordance with the provisions of this section. Milk specimens shall be collected in a manner that is in accordance with National Veterinary Service Laboratory (NVSL) guidance issued to the testing National Animal Health Laboratory Network (NAHLN) laboratory.

ii. *Non-lactating dairy animals*—Nasal swabs shall be collected from each non-lactating dairy cow for testing in accordance with the provisions of this section. Nasal swabs shall be collected in a manner that is in accordance with NVSL guidance issued to the testing NAHLN laboratory.

(3) Milk specimens and nasal swabs, as required in subsection (2) of this section, shall be collected and submitted by or under the supervision of an accredited veterinarian (category II). The accredited veterinarian collecting or supervising the collection of the diagnostic specimens shall have a veterinarian-client-patient relationship (VCPR) with the owner or caretaker of the animal.

(4) Each specimen or sample collected and submitted under subsection (2) of this section shall be tested for Influenza A virus using polymerase chain reaction (PCR) testing and protocols approved by NVSL.

(5) Testing of all specimens or samples collected and submitted under this Quarantine Order shall be performed at a NAHLN laboratory. The individual specimens shall not be pooled by the accredited veterinarian (category II) or any person other than at the NAHLN laboratory testing the samples.

(6) All dairy cattle arriving at an animal exhibition shall have been tested in accordance with the standards set forth in this Quarantine Order and shall have a negative or not-detected test result. The laboratory test report, or a copy thereof, shall accompany each dairy cow to the animal exhibition and shall be made available to the holder or staff of the animal exhibition and any Department employee.

4. *Exemptions.*

Dairy cattle less than 18 months of age are not required to be tested for influenza A virus prior to exhibition.

5. *Violations and Penalties.*

An animal which fails to meet the requirements of this Quarantine Order shall either be removed from the exhibition grounds or subject to quarantine on the exhibition grounds and testing to meet exhibition requirements.

Any person violating the requirements of this Order shall be subject to enforcement and penalties as are allowed under the provisions of the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), which include revocation of license, criminal prosecution, civil penalties of up to \$10,000 per violation, injunctive relief, or any combination of those penalties.

6. *No Restriction on Further Action by the Department.*

This Quarantine Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cattle or to limit the Department's authority under the Domestic Animal Law or any other statutes or regulations administered by the Department.

7. *Contact information.*

Questions regarding this Quarantine Order may be directed to the Commonwealth of Pennsylvania, Department of Agriculture, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

8. *Effective Date.*

This Quarantine Order in its entirety shall become effective immediately upon signature of the Secretary of the Pennsylvania Department of Agriculture and shall remain in effect unless rescinded or modified by a subsequent Order.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-829. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

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

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Very Small Meat and Poultry Processor Reimbursement Grant Program (Program). The Department intends to make no less than \$500,000 available for grants under the Program. Funding is contingent upon 2024-2025 budget appropriations.

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

This notice establishes the procedures by which grant applications will be solicited, reviewed and awarded for Fiscal Year (FY) 2024-2025.

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

operation, expanding the capacity of a current very small meat and poultry processing operation or a combination of those purposes.

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

Applicant. A person applying for a reimbursement grant under the Program.

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

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

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

Secretary. The Secretary of the Department.

USDA. United States Department of Agriculture.

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

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

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

b. Grant reimbursement money shall only be available for eligible costs associated with meeting the requirements to obtain a grant of inspection, opening a new very small meat and poultry processing operation, expanding the capacity of a current very small meat and poultry operation or a combination of those purposes.

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

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

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

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

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

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

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

a. Currently operating under a grant of inspection.

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

5. *Application procedure.*

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

b. *Application window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on June 17, 2024, and 5 p.m. on August 2, 2024. Applications received outside of that application window will not be considered or reviewed.

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

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

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

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

iv. A detailed plan to include:

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

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

(3) A line-item proposed budget.

(4) Individual tasks required to complete the project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. *Grant agreement.* After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant will execute a written or electronic grant agreement which describes the terms and conditions subject to which the grant is made. The grant agreement will contain and conform to the requirements of this notice and will also contain any special terms and conditions as required by the Secretary. Among the terms of the grant agreement will be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance

of the project and submit the information as the Department may require. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the address set forth in section 9. Applicants who are unable to agree to the terms and conditions should not apply.

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

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

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

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

d. A written report related to:

i. The completed project.

ii. The expansion of meat or poultry processing capability.

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

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

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

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

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-830. Filed for public inspection June 24, 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 June 4, 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.

NOTICES

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
05-30-2024	AmeriServ Financial Bank Johnstown Cambria County	Approved
	Application for approval to merge AmeriServ Trust and Financial Services Company, Johnstown, PA, with and into AmeriServ Financial Bank, Johnstown, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
06-04-2024	LINKBANK Camp Hill Cumberland County	900 Bestgate Road Annapolis Anne Arundel County, MD	Accepted

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
06-05-2024	The Northern Trust Company Chicago Cook County, IL	<i>To:</i> Two Commerce Square 2001 Market Street Suite 1120 Philadelphia Philadelphia County <i>From:</i> 2400 Market Street Suite 239 Philadelphia Philadelphia County	Accepted

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
05-31-2024	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	700 East High Street Carlisle Cumberland County (Limited-Service Facility)	Closed
06-03-2024	Community Bank Carmichaels Greene County	1993 South 88 Road Greensboro Greene County	Closed

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Secretary

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 2024

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of July 2024, is 7%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.60 to which was added 2.50 percentage points for a total of 7.10 that by law is rounded off to the nearest quarter at 7%.

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-832. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Intent to Apply for Funding; Preservation and Reinvestment Initiative for Community Enhancement

It is the intention of the Department of Community and Economic Development (Department) to apply for funding through the Preservation and Reinvestment Initiative for Community Enhancement (PRICE) notice of funding opportunity through the United States Department of Housing and Urban Development (HUD). The purpose of the funding program is to support manufactured housing and manufactured housing communities. Through the program, funds will be awarded to local governments to rehabilitate existing manufactured housing units and improve critical infrastructure, such as water and sewer systems located within those communities. The application deadline is July 10, 2024, at 11:59 p.m. Note that HUD has extended the initial deadline of June 5, 2024, to July 10, 2024.

A draft version of the application will be available on the Department's web site at <https://dced.pa.gov/housing-and-development/consolidated-plan-annual-plans-reports/>. The Department reserves the right to make minor edits to the application after posting it to the web site.

The Department will be holding a second public hearing to meet the requirement that an in-person meeting be offered. The public hearing will be held on Thursday, June 20, 2024, at 11 a.m. The public are invited to attend either in person at the Department or virtually. For individuals planning on attending in person, the Department's address is Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

When arriving, the public should use the entrance on the North Street side of the building and take the public elevators to the 4th floor. After that, individuals will need to check in with the Department's front desk and will be directed to the applicable meeting space.

Individuals who wish to attend virtually, the meeting may be accessed through a computer or mobile device at https://teams.microsoft.com/l/meetup-join/19%3ameeting_NmMxYjMzZjEtOWEzMC00ODI5LWwYmItZTk0ODU4YzY4Mjhl%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%222ed73e8d-d048-425b-93cc-055ce4231b52%22%7d. The meeting ID is 266 943 339 163. The passcode is k4QAXZ.

Individuals who wish to attend the hearing may join by phone at (267) 332-8737. The conference ID is 915 200 860#.

Public Comments

The Department invites public comment through a 15-day public comment period, which will begin on June 15, 2024, and end on June 30, 2024, at 4 p.m. Individuals or organizations may provide written comments regarding this draft version of the PRICE application.

Persons with a disability or limited English proficiency, who wish to comment and require an auxiliary aid, service or other accommodation to participate, should contact David Grey, Department of Community and Economic Development, Center for Community and Housing Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 214-5341 or TDD (717) 346-0308, to discuss how the Department may best accommodate their needs.

Written comments will be accepted until 4 p.m. on June 30, 2024, and should be sent to David Grey, Department of Community and Economic Development, Center for Community and Housing Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, dcedchdpubliccomments@pa.gov.

RICK SIGER,
Secretary

[Pa.B. Doc. No. 24-833. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Wild Resource Conservation Program; Public Hearing

The Department of Conservation and Natural Resources (Department) will hold a public hearing Wednesday, August 7, 2024, to comment on the applications submitted to the Wild Resource Conservation Program for grant funding in Fiscal Year 2024-2025. The hearing will be held from 11 a.m. to 12 p.m. in the 6th Floor

Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this hearing can be directed to Ryan Bortnyk, (717) 783-3331, rbortnyk@pa.gov or Rebecca Bowen, (717) 772-0258, rebbowen@pa.gov. Individuals who plan to make comments should contact either Ryan Bortnyk or Rebecca Bowen.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should con-

tact Rebecca Bowen directly at (717) 772-0258 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 24-834. Filed for public inspection June 14, 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 and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

Section *Category*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1024806	Joint DEP/PFBC Pesticides Permit	New	Middlesex Crossings HOA 2005 Ringold Court Valencia, PA 16059-1120	Middlesex Township Butler County	NWRO
1520812	Joint DEP/PFBC Pesticides Permit	Amendment	Brook Crossing HOA 199 Crossing Boulevard East Fallowfield, PA 19320-4345	East Fallowfield Township Chester County	SERO
3524802	Joint DEP/PFBC Pesticides Permit	New	Donova Nichole 460 Stone Road North Abington Township, PA 18414-8127	North Abington Township Lackawanna County	NERO
3724807	Joint DEP/PFBC Pesticides Permit	New	Janet Carbone 7421 Old Route 422 Portersville, PA 16051-5605	Slippery Rock Township Lawrence County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4621821	Joint DEP/PFBC Pesticides Permit	Amendment	Rubin Michael 600 Great Springs Road Bryn Mawr, PA 19010-1702	Lower Merion Township Montgomery County	SERO
5213844	Joint DEP/PFBC Pesticides Permit	Amendment	Gold Key CC Inc. 111 Gold Key Road Milford, PA 18337	Dingman Township Pike County	NERO
5213845	Joint DEP/PFBC Pesticides Permit	Amendment	Gold Key CC Inc. 111 Gold Key Road Milford, PA 18337	Dingman Township Pike County	NERO
5213846A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Gold Key CC Inc. 111 Gold Key Road Milford, PA 18337	Dingman Township Pike County	NERO
5813823	Joint DEP/PFBC Pesticides Permit	Renewal	Idlewild Lake Association P.O. Box 156 Clifford, PA 18413-0156	Clifford Township Susquehanna County	NERO
5813824	Joint DEP/PFBC Pesticides Permit	Renewal	Quarry Hill Farms 136 Gunn Hill Road Nicholson, PA 18446-7799	Clifford Township Susquehanna County	NERO
6421810	Joint DEP/PFBC Pesticides Permit	Amendment	Schoenfeld Steven 361 Stalker Road Equinunk, PA 18417-3522	Damascus Township Wayne County	NERO
6424808	Joint DEP/PFBC Pesticides Permit	New	Lockwood Margaret 218 Mican Road Waymart, PA 18472-3035	Canaan Township Wayne County	NERO
6424809	Joint DEP/PFBC Pesticides Permit	New	Cain Dianne 7 Cindy Court Millstone Township, NJ 08510-7995	Oregon Township Wayne County	NERO
1800403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Western Clinton County Municipal Authority P.O. Box 363 Renovo, PA 17764-0363	Renovo Borough Clinton County	NCRO
3624403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Northwestern Lancaster County Authority 97 N Penryn Road Manheim, PA 17545-9326	Penn Township Lancaster County	SCRO
4606408	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Upper Providence Township Montgomery County	SERO
6793404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	The York Water Co. 130 E Market Street York, PA 17401-1219	Springfield Township York County	SCRO
NOEX01202	No Exposure Certification	Renewal	Bethlehem Apparatus Co. Inc. 890 Front Street P.O. Box Y Hellertown, PA 18055-1507	Hellertown Borough Northampton County	NERO
NOEX01302	No Exposure Certification	Renewal	Bethlehem Apparatus Co. Inc. 935 Bethlehem Drive Bethlehem, PA 18017	Bethlehem City Northampton County	NERO
PAG030321	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Green Lane Auto Sales & Parts Inc. 3000 Geryville Pike Pennsburg, PA 18073-2607	Marlborough Township Montgomery County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036157	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Chestnut Ridge Foam Inc. 443 Warehouse Drive Latrobe, PA 15650-3573	Derry Township Westmoreland County	SWRO
PAG036582	PAG-03 NPDES General Permit for Industrial Stormwater	New	Joseph B Fay Co. 2 Allegheny Center Nova Tower 2 Suite 800 Pittsburgh, PA 15212-5402	Jefferson Hills Borough Allegheny County	SWRO
PAG038343	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Ground Pkg System Inc. Environmental Services 1000 FedEx Drive Moon Township, PA 15108	Jackson Township Butler County	NWRO
PAG038368	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Jackson Township Butler County	NWRO
PAG038412	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mersen USA GS Corp— St Marys 215 Stackpole Street Saint Marys, PA 15857-1401	Saint Marys City Elk County	NWRO
PAG038499	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cronimet Specialty Metals USA Inc. 40 Council Avenue Wheatland, PA 16161	Wheatland Borough Mercer County	NWRO
PAG038501	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	M & B Redi Mix Inc. dba Dubrook 15303 Route 322 Clarion, PA 16214-6265	Saint Marys City Elk County	NWRO
PAG041167	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Tudor David 1251 Quaker Hill Road Warren, PA 16365-4205	Glade Township Warren County	NWRO
PAG041340	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Kim & Ron Irwin 2340 Election House Road Cochranton, PA 16314-5136	Fairfield Township Crawford County	NWRO
PAG041347	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Isenberg William J 105 Arberg Lane Slippery Rock, PA 16057-1801	Mercer Township Butler County	NWRO
PAG041349	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Sandra & William Tracy 43224 Gilson Ridge Road Titusville, PA 16354-4506	Oil Creek Township Crawford County	NWRO
PAG041353	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Supports Inc. 21635 Star Route Meadville, PA 16335	Vernon Township Crawford County	NWRO
PAG041361	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Corey & Maria Ivonne Norman 5564 W Center Road Linesville, PA 16424-7744	Conneaut Township Crawford County	NWRO
PAG041362	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
PAG045139	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Roscoe Devon E 111 Kennel Lane Port Matilda, PA 16870-8005	Huston Township Centre County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG045302	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Morgan Beacker & Mark Gower 50 Shaw Road Williamsport, PA 17701-9707	Loyalsock Township Lycoming County	NCRO
PAG120012	PAG-12 NPDES General Permit for CAFOs	New	Smoker Jay M 301 Glen Run Road Atglen, PA 19310-1626	West Fallowfield Township Chester County	SCRO
PAG122212	PAG-12 NPDES General Permit for CAFOs	Renewal	AG Ventures LLC 345 W High Street Elizabethtown, PA 17022	Salem Township Luzerne County	SCRO
PAG122217	PAG-12 NPDES General Permit for CAFOs	Renewal	Manbeck Dwight 917 Schwartz Valley Road Schuylkill Haven, PA 17972	Wayne Township Schuylkill County	SCRO
PAG123511	PAG-12 NPDES General Permit for CAFOs	Renewal	Goss Timothy R 123 Decatur Road McClure, PA 17841	Decatur Township Mifflin County	SCRO
PAG123562	PAG-12 NPDES General Permit for CAFOs	Renewal	Nolt Cleason 351 Elco Drive Myerstown, PA 17067-2608	Jackson Township Lebanon County	SCRO
PAG123612	PAG-12 NPDES General Permit for CAFOs	Renewal	Nolt John 10190 Mountain Road Port Royal, PA 17082	Turbett Township Juniata County	SCRO
PAG123613	PAG-12 NPDES General Permit for CAFOs	Renewal	Meadow Spring Acres LLC 1871 Smith Station Road Spring Grove, PA 17362-8977	Heidelberg Township York County	SCRO
PAG123791	PAG-12 NPDES General Permit for CAFOs	Renewal	Mike Cassel 259 Auction Road Manheim, PA 17545-9744	Penn Township Lancaster County	SCRO
PAG123792	PAG-12 NPDES General Permit for CAFOs	Renewal	Yippe! Farms LLC 880 Pinkerton Road Mount Joy, PA 17552-9241	Rapho Township Lancaster County	SCRO
PAG123886	PAG-12 NPDES General Permit for CAFOs	Renewal	Eric Newswanger 107 Awol Road Jonestown, PA 17038	Union Township Lebanon County	SCRO
PAG123893	PAG-12 NPDES General Permit for CAFOs	Renewal	Fair Family Farms LLC 3949 Allegheny Road Manns Choice, PA 15550-7816	Harrison Township Bedford County	SCRO
PAG123899	PAG-12 NPDES General Permit for CAFOs	Renewal	Finkbiner Craig D 2452 Free Spring Church Road McAlisterville, PA 17049-8593	Fayette Township Juniata County	SCRO
PAG123923	PAG-12 NPDES General Permit for CAFOs	Renewal	Hissong Farmstead Inc. 7951 Lemar Road Mercersburg, PA 17236-9559	Montgomery Township Franklin County	SCRO
1524405	Pump Stations Individual WQM Permit	New	East Coventry Township Chester County P.O. Box 689 Devon, PA 19333-0689	East Coventry Township Chester County	SERO
4004405	Pump Stations Individual WQM Permit	Amendment	Hazle Township Municipal Authority Luzerne County P.O. Box 502 Harleigh, PA 18225-0502	Hazle Township Luzerne County	NERO
PA0291790	Single Residence STP Individual NPDES Permit	Transfer	Labonte Dustin 14600 Burnt Mill Road Shippensburg, PA 17257-9111	Lurgan Township Franklin County	SCRO
1402402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Roscoe Devon E 111 Kennel Lane Port Matilda, PA 16870-8005	Huston Township Centre County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2823401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Labonte Dustin 14600 Burnt Mill Road Shippensburg, PA 17257-9111	Lurgan Township Franklin County	SCRO

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

PA0024759, Sewage, SIC Code 4952, **Curwensville Municipal Authority**, 314 South Street, Curwensville, PA 16833-1237. Facility Name: Curwensville Municipal Authority Wastewater Treatment Plant. This existing facility is located in Curwensville Borough, **Clearfield 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), West Branch Susquehanna River, is located in State Water Plan watershed 8-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 0.8 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	165	265	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	200	300	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	0.65	1.02	XXX	0.098	0.15	0.24
Zinc, Total	5.35	Daily Max	XXX	0.8	Daily Max	2
		8.34			1.25	
		Daily Max			Daily Max	

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	13,698 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	1,826 Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

Northcentral Regional Office

PA0113514, Sewage, SIC Code 4952, **Madison Township, Columbia County**, P.O. Box 620, Millville, PA 17846-0620. Facility Name: Madison Township Hilner Sewer System STP. This existing facility is located in Madison Township, **Columbia County**.

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

The receiving stream(s), Unnamed Tributary to Mud Creek (WWF), is located in State Water Plan watershed 10-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 0.00175 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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

The EPA Waiver is in effect.

Northcentral Regional Office

PA0233889, Concentrated Animal Feeding Operation (CAFO), **Troester Dairy (Troester Dairy Union County)**, 175 Cannon Road, Mifflinburg, PA 17844-7714.

Troester Dairy has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Troester Dairy Union County, located in Buffalo Township, **Union County**.

The CAFO is situated near Unnamed Tributary of Mill Race (CWF, MF) and Unnamed Tributary of Mill Race (CWF) in Watershed 10-C, which is classified for Cold Water Fishes and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 2,026.95 animal equivalent units (AEUs) consisting of 1,000 dairy cows, 800 heifers, 12 finishing pigs, 9 goat does, 1 goat buck, and 13 goat kids. Manure is stored in 4 various manure storages consisting of concrete tanks and earthen lagoons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Northeast Regional Office

PA0070386, Sewage, SIC Code 4952, **Shenandoah Municipal Sewer Authority, Schuylkill County**, 15 W Washington Street, Shenandoah, PA 17976-1708. Facility Name: Shenandoah Municipal Sewer Authority POTW. This existing facility is located in West Mahanoy Township and Shenandoah Borough, **Schuylkill 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), Shenandoah Creek (CWF, MF), is located in State Water Plan watershed 6-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.00	XXX	2.00
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	417.0	667.0	XXX	25.0	40.0	50.0
Ammonia-Nitrogen	Report	Report Daily Max	XXX	17.2	34.4	34.4

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Dissolved Iron (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Acrolein (ug/L)	Report	Report	XXX	Report	Report	XXX
Bis(2-Ethylhexyl)Phthalate (ug/L)	Report	Report	XXX	Report	Report	XXX
Indeno(1,2,3-cd)Pyrene (ug/L)	Report	Report	XXX	Report	Report	XXX
Vinyl Chloride (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.17
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	166.8	250.2	XXX	10.0	15.0	20.0
Ultraviolet light intensity (µw/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report	Report	XXX	6.12	12.24	12.24
Nov 1 - Apr 30		Daily Max			Daily Max	
May 1 - Oct 31	Report	Report	XXX	2.04	4.08	4.08
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Aluminum, Total (ug/L)	12.5	12.8	XXX	750.0	766.0	766.0
Copper, Total (ug/L)	0.18	0.27	XXX	11.1	16.5	16.5
Iron, Dissolved (ug/l)	6.49	10.1	XXX	389.0	607.0	972.0
Zinc, Total (ug/L)	1.83	2.08	XXX	110.0	124.0	124.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Acrolein (ug/L)	0.050	0.065	XXX	3.00	3.89	3.89
Bis(2-Ethylhexyl)Phthalate (ug/L)	0.017	0.027	XXX	1.20	1.61	2.58
Indeno(1,2,3-cd)Pyrene (ug/L)	0.00005	0.00008	XXX	0.003	0.005	0.008
Vinyl Chloride (ug/L)	0.001	0.002	XXX	0.064	0.10	0.16

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	1.29	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	1.29	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.29	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	1.29	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD ₅ Minimum % Removal (%)	Report Min Mo Avg	XXX	Inst Min XXX	XXX	XXX	XXX
Total Suspended Solids	500	750 Wkly Avg	XXX	30.0	45.0 Wkly Avg	60.0
Total Suspended Solids Minimum % Removal (%)	Report Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	XXX	XXX	Report
E. Coli (No./100 ml)	Report	Report	XXX	Report	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	Report	XXX	Report	Report	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report	Report	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	Report	XXX	Report	Report	XXX
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	Report	XXX	Report	Report	XXX
Cobalt, Total (ug/L)	Report	Report	XXX	Report	Report	3,750.0
Iron, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Lead, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Nickel, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Carbon Tetrachloride (ug/L)	Report	Report	XXX	Report	Report	XXX
Dichlorobromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX
Chloroform (ug/L)	Report	Report	XXX	Report	Report	XXX
Trichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

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

The proposed effluent limits for (stormwater) Outfall Nos. 015—020 are based on a design flow of 0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Iron, Total (ug/L)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Raw Sewage Internal Monitor Point/Outfall 101 are based on a design flow of NA 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
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Iron, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Iron, Dissolved (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Report	Report	XXX	Report	Report	XXX

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

- Chesapeake Bay; Schedule of Compliance (CBOD₅, Ammonia-N, DO, TSS, and TRC), Maximizing Treatment at Existing POTW; Combined Sewer Overflows (CSOs); POTW Pretreatment Program Development and Implementation; Solids Management; WQBELs for Toxic Pollutants; Whole Effluent Toxicity (WET); Requirements Applicable to Stormwater Outfalls; Stormwater Prohibition (Separated Sewer System Sheds); Necessary Property Rights; Residuals Management; Chlorine Minimization; Dry Stream; CSBR Batch Discharge; Responsible Certified Operator and DMR/EDMR Reporting; New WWTP O&M Plan; High Flow Management Plan (HFMP); Quarterly WET Tests for First Year of Permit Term; POTW Operator; Sampling on request; and WQBELs below Quantitation Limits

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

The EPA Waiver is not in effect.

Northeast Regional Office

PAS232213, Storm Water, SIC Code 2841, 2842, **Royal Chemical C. Ltd**, 1336 Crowe Road, East Stroudsburg, PA 18301-1105. Facility Name: Royal Chemical Co. Ltd Plant. This existing facility is located in Stroud Township, **Monroe County**.

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

The receiving stream(s), Brodhead Creek (HQ-CWF, MF), is located in State Water Plan watershed 1-E and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (Stormwater).

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

<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>	
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0103861, Sewage, SIC Code 6515, **Steve Zoccoli**, 2575 Ben Franklin Highway, Edinburg, PA 16116-4401. Facility Name: Zoccoli MHP. This existing facility is located in Mahoning Township, **Lawrence 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, an Unnamed Tributary to the Shenango River (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
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	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	9.0	XXX	18
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0222429, Sewage, SIC Code 4932, **Pilot Travel Center LLC**, 5508 Lonas Drive, Knoxville, TN 37909-3221. Facility Name: Pilot Travel Center 081. This existing facility is located at 2010 New Castle Road, Portersville, PA 16051-1206 in Muddycreek 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), Muddy Creek (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 .05 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	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	XXX
				Report		
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	15.0	XXX	30
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly	XXX	XXX
				Report		
				Avg Qrtly		

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

PA0271594, Sewage, SIC Code 8800, **Gail Kline**, 859 Lake Lucy Road, Tionesta, PA 16353-2123. Facility Name: Gail Kline SRSTP. This existing facility is located in Washington Township, **Clarion County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Hemlock Creek (EV), is located in State Water Plan watershed 16-E and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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	20.0
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

PA0295779, Sewage, SIC Code 4952, **Kay Launer**, 2480 Keller Road, Warren, PA 16365-8717. Facility Name: Kay Launer SFTF. This proposed facility is located in Conewango Township, **Warren County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0008 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0232556, Concentrated Animal Feeding Operation (CAFO), **Country View Family Farms LLC (Smiling Porker Farm)**, 1301 Fulling Mill Road, Middletown, PA 17507.

Country View Family Farms LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Smiling Porker Farm, located in Pine Township, **Lycoming County**.

The CAFO is situated near Unnamed Tributary to Hughes Run (EV (existing use)) in Watershed 9-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 3,247.90 animal equivalent units (AEUs) consisting of 5,387 Gestating Sow, 2,360 Swine Grow Finish, 960 Sow and Litter, and 15 Boar. Liquid swine manure is stored onsite in two deep underbarn concrete manure storages. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southcentral Regional Office

PA0262021, Concentrated Animal Feeding Operation (CAFO), **Joshua T Akers (Joshua Akers Duck CAFO)**, 590 Church Road, Quarryville, PA 17566-9790.

Joshua T Akers has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Joshua Akers Duck CAFO, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to McFarlands Run (HQ-CWF, MF) in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 113.93 animal equivalent units (AEUs) consisting of 19,000 Duck Starters, 19,000 Duck Finishers, 18 Beef Cow, and 18 Beef Calf. Liquid manure is stored onsite in an HDPE-lined Lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PA0052434, Sewage, SIC Code 4952, **Coventry Crossing Apartments STP**, 3843 West Chester Pike, Newtown Square, PA 19073-2304. Facility Name: Coventry Crossing Apartments STP. This existing facility is located in Chester Heights Borough, **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), Unnamed Tributary of West Branch Chester Creek (TSF, MF), is located in State Water Plan watershed 3-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .04 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Inst Min 6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.04	XXX	0.1
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	6.7	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	3.3	XXX	XXX	10	XXX	20
Total Suspended Solids	3.3	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	1.7	XXX	XXX	5.1	XXX	10.2
Nov 1 - Apr 30						
May 1 - Oct 31	0.6	XXX	XXX	1.7	XXX	3.4
Total Phosphorus	0.7	XXX	XXX	2.0	XXX	4
Nov 1 - Apr 30						
May 1 - Oct 31	0.3	XXX	XXX	1.0	XXX	2

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

- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Municipal Sewers Available
- Chlorine Minimization
- Small Stream Discharge
- Operator Notification
- Fecal Coliform Reporting
- Solids Management

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0057789, Sewage, SIC Code 6712, **BPG Office VI River Park II, LP**, 322 A Street, Wilmington, DE 19801. Facility Name: River Park STP. This existing facility is located in Whitmarsh Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	1,000.0
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 20.0	XXX	40
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	XXX	40

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

- No stormwater from pavements, roofs, area ways shall be admitted to sanitary sewers
- Proper disposal of collected screenings, slurries, sludges and other solids
- Permittee shall optimize chlorine dosages to minimize TRC in effluent
- Permittee shall notify DEP of operator in responsible charge
- Permittee shall develop and maintain operations and maintenance (O & M) plan

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0244031, Sewage, SIC Code 4952, **Chadds Ford Township Sewer Authority**, 10 Ring Road, Chadds Ford, PA 19317-0628. Facility Name: Turners Mill STP. This existing facility is located in Chadds Ford 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), Harvey Run (WWF, MF), is located in State Water Plan watershed 3-H and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .21 MGD.—Limits.

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17.5	26.0	XXX	10.0	15.0	20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	17.5	26.0	XXX	10.0	15.0	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	50 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	66.7	XXX	XXX	38.0	XXX	76
Ammonia-Nitrogen	7.8	XXX	XXX	4.5	XXX	9
Nov 1 - Apr 30						
May 1 - Oct 31	2.6	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.75	XXX	XXX	1.0	XXX	2

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

- I. Other Requirements
 - A. Responsible Operator
 - B. Public Nuisance
 - C. No Stormwater
 - D. Property Rights
 - E. Change of ownership
 - F. TRC Minimization
 - G. Sludge removal
 - H. Act 11
 - I. IMAX limits
 - J. O&M Plan
 - K. Lab Certification
 - L. DRBC Fecal Coliform
 - M. No Hauled-in Wastes

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

The EPA Waiver is not in effect.

Southeast Regional Office

PA0244511, Sewage, SIC Code 8811, **Melissa & John Richardson**, 177 Creamery Road, Coatesville, PA 19320-1716. Facility Name: Richardson SRSTP. This existing facility is located in West Caln Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Brandywine Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-H and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18

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

- AMR
- DMR
- Depth of sewage
- Tank pumped
- TRC minimization
- No stormwater
- Property rights
- Solid waste disposal
- Municipal sewage facilities
- UV disinfection

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

The EPA Waiver is in effect.

Southeast Regional Office

PAI130062, MS4, **Kennett Township, Chester County**, 801 Burrows Run Road, Chadds Ford, PA 19317-9219.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in, **Chester County**. The receiving stream(s), Bennetts Run (WWF, MF), East Branch Red Clay Creek (TSF, MF), Unnamed Tributary of Burrows Run (CWF, MF), Unnamed Tributary to Burrows Run (CWF, MF), Bucktoe Creek (TSF, MF), Burroughs Brook (CWF, MF), Craigs Mill Run (WWF, MF), Ring Run (WWF, MF), Unnamed Tributary to East Branch Red Clay Creek (TSF, MF), West Branch Red Clay Creek (TSF, MF), Unnamed Tributary to Burroughs Brook (CWF, MF), Unnamed Tributary to Mill Creek (WWF, MF), Unnamed Tributary to West Branch Red Clay Creek (TSF, MF), Burrows Run (CWF, MF), and Unnamed Tributary of East Branch Red Clay Creek (TSF, MF), is located in State Water Plan watershed 3-I and 3-H and is classified for Trout Stocking, Migratory Fishes, Cold Water Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Total Maximum Daily Load (TMDL) Plan

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

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

Southwest Regional Office

PA0094544, Sewage, SIC Code 4952, **Leskinen Enterprises Inc.**, 151 Tent Church Road, Uniontown, PA 15401-6801. Facility Name: Somerfield South Recreation Area STP. This existing facility is located in Addison Township, **Somerset 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, Youghiogheny River Reservoir (WWF), is located in State Water Plan watershed 19-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .00135 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 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

- A. AMR to DEP
- B. DMR to DEP
- C. Septage and Scum Measurement
- D. Septic Tank Pumping
- E. Chlorine Optimization
- F. No Stormwater Condition
- G. Acquire Necessary Property Rights
- H. Proper Sludge Disposal
- I. Abandon STP if Municipal Sewers Available

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

PA0218316, Sewage, SIC Code 4952, **Dunbar Township Municipal Authority, Fayette County**, 1257 University Drive, Dunbar, PA 15431-0815. Facility Name: Dunbar Township Municipal Authority STP. This existing facility is located in Dunbar Township, **Fayette 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), Youghiogheny River (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 0.45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily 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 0.45 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	93.0	142.0	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	112.0	168.0	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	93	XXX	XXX	25.0	XXX	50

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

- None

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

PA0285293, Sewage, SIC Code 8800, **Sara Godley**, 226 Rankin Road, Washington, PA 15301-3182. Facility Name: Godley Properties SRSTP. This proposed facility is located in South Strabane Township, **Washington 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 Little Chartiers Creek (HQ-WWF), is located in State Water Plan watershed 20-F 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 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	30.0
Nov 1 - Apr 30	XXX	XXX	XXX	5.0	XXX	10.0
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10.0

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

Part C

II. ULTRAVIOLET (UV) DISINFECTION

The UV disinfection contact surface must be cleaned at least monthly to ensure adequate disinfection. The AMR must include the date(s) that the UV contact surface is cleaned.

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

PA0000892, Industrial, SIC Code 3356, **Westinghouse Electric Co.**, 559 Westinghouse Road, Blairsville, PA 15717-4130. Facility Name: Westinghouse Electric Specialty Metals Plant Blairsville. This existing facility is located in Derry Township, **Westmoreland County**.

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

The receiving stream(s), Conemaugh River (WWF), is located in State Water Plan watershed 18-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 IMP 101 are based on a design flow of 0.09 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	7.5	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Total Suspended Solids	31.9	67.1	XXX	12.0	15.0	18.75
Oil and Grease	19.6	32.7	XXX	10.0	10.0	XXX
Ammonia-Nitrogen	13.8	31.5	XXX	58.6	133.3	166.6
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	0.0425	0.104	XXX	0.15	0.37	0.46
Cyanide, Total	0.0283	0.0684	XXX	0.08	0.2	0.25
Fluoride, Total	6.23	14.0	XXX	26.4	59.5	74.4
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	0.300	0.454	XXX	0.37	0.55	0.69
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP 101 are based on a design flow of 0.09 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	7.5	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Total Suspended Solids	31.9	67.1	XXX	12.0	15.0	18.75
Oil and Grease	19.6	32.7	XXX	10.0	10.0	XXX
Ammonia-Nitrogen	13.8	31.5	XXX	58.6	133.3	166.6
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Chromium, Total	0.0425	0.104	XXX	0.15	0.37	0.46
Cyanide, Total	0.0283	0.0684	XXX	0.08	0.2	0.25
Fluoride, Total	6.23	14.0	XXX	26.4	59.5	74.4
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	0.300	0.454	XXX	0.37	0.55	0.69
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP 201 are based on a design flow of 0.0037 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	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
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP 201 are based on a design flow of .0037 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP 301 are based on a design flow of 0.0098 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	0.072	XXX	0.144

The proposed effluent limits for Outfall 002:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
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
Trichloroethylene (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
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
Trichloroethylene (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
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
Trichloroethylene (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is not in effect.

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

Southcentral Regional Office

Applicant: **Ben Metzler**

Applicant Address: 933 Bryansville Road, Delta, PA 17314

Application Number: **PAD670111**

Application Type: New

Municipality/County: Peach Bottom Township, **York County**

Project Site Name: Ben Metzler Ag Operation

Total Earth Disturbance Area (acres): 5.65 acres

Surface Waters Receiving Stormwater Discharges: UNT to Neill Run (CWF) 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 poultry operation with poultry barn, manure storage, egg room, and gravel driveways.

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: **US Army Garrison—Carlisle Barricks**

Applicant Address: 330 Engineer Ave, Carlisle, PA 17013

Application Number: **PAD210028 A-4**

Application Type: Major Amendment

Municipality/County: Middlesex Township, North Middleton Township, Carlisle Borough, **Cumberland County**

Project Site Name: Army War College (Root Hall) and Bliss Hall Demolition, Carlisle Barricks, PA

Total Earth Disturbance Area (acres): 3.2 acres

Surface Waters Receiving Stormwater Discharges: Letort Spring 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: Demolition of Root Hall and Bliss Hall.

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: **Lis Construction Inc.**

Applicant Address: 601 Penn Avenue, West Reading, PA 19611-1123

Application Number: **PAD060091**

Application Type: New

Municipality/County: Kenhorst Borough, **Berks County**

Project Site Name: Wingate Terrace

Total Earth Disturbance Area (acres): 9.9 acres

Surface Waters Receiving Stormwater Discharges: Angelica Creek (CWF, MF) and Angelica 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: Subdivision with 32 Single Family Homes.

Special Conditions: Wetland Monitoring Criteria

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Northeast Regional Office*Applicant: **PNK P1, LLC**

Applicant Address: 17 State Street, Suite 3930, New York, NY 10004-1553

Application Number: **PAD350052**

Application Type: New

Municipality/County: Archbald Borough, **Lackawanna County**

Project Site Name: Valley View Business Park Lot 30

Total Earth Disturbance Area (acres): 29.59 acres

Surface Waters Receiving Stormwater Discharges: UNT to Grassy Island Creek (HQ-CWF, MF), UNT to Laurel Run Creek (CWF, MF) and 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: The project involves the construction of a 346,830 square foot warehouse with site improvements such as stormwater management facilities, utility connections/extensions, parking, retaining walls, landscaping, etc., in Archbald Borough, Lackawanna County, PA.

Special Conditions: Potential Impacts to EV Wetlands. 1. The permittee shall monitor water table elevations daily at each monitoring well identified in the approved PCSM Plan for EV wetlands for a minimum of five years. Reports providing water table elevations shall be submitted to DEP every six months, beginning in (October of the 2nd year of coverage). These reports shall be submitted by October 31st and April 30th each year. All monitoring wells should confirm the presence of a water table no deeper than 12-inches below the ground surface for a period of at least 14 consecutive days during the growing season (April 1—October 1 annually) at a minimum frequency of 3 of the 5 monitoring years, unless a longer timeframe for monitoring is extended by DEP in writing. If a water table is not observed at the previously stated depth and/or for a duration of at least 14 consecutive days in 3 of 5 monitoring years (or in accordance with an alternate monitoring timeframe approved by DEP in writing), the wetland will be considered adversely impacted by the project, unless information and/or data provided to DEP demonstrates otherwise and DEP concurs that the project did not adversely impact the wetland. 2. The permittee shall provide DEP with a running comparison of monitoring data for pre-construction and post-construction monitoring every six months, beginning in (October of the 3rd year after the date of coverage). These monitoring data reports shall be submitted by October 31st and April 30th each year. If the ground water table elevation is found to be lower in post-construction monitoring for the same time period, the wetland will be considered adversely impacted by the project, unless information and/or data provided to DEP demonstrates the cause is unrelated to the project and DEP concurs that the project did not adversely impact the wetland. 3. The permittee shall delineate the boundaries of the EV wetlands in the years (5 years from date of coverage) and (7 years from the date of coverage) using the Army Corps of Engineers' 1987 Wetland Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0). These wetland delineations shall be submitted to DEP on or before April 30th in the 5th year of permit coverage and on or before the permit expiration or termination date of this permit or the 7th year of permit coverage whichever is sooner, unless an

alternate timeframe for submission of these delineations is approved by DEP in writing. Boundaries shall be surveyed and compared to the boundaries outlined on the approved plans. The data shall be submitted to DEP on or before April 30th of each year, beginning in (October of the 3rd year after the date of coverage). If a reduction in size of the wetland of greater than 0.05 acre is observed, the wetland will be considered adversely impacted by the project, unless a clear and unrelated cause of the reduction in size is demonstrated and DEP concurs that the project did not adversely impact the wetland. 4. The permittee shall provide reports identifying plant species in the EV wetlands during the growing season once a year for five years beginning in (April of the 3rd year after the date of coverage). Any observed reduction in the number of different species having a wetland indicator status of (identify indicator status appropriate for the wetland in question) shall be clearly identified in the report. If a reduction is observed, the wetland will be considered adversely impacted by the project unless another clear cause of the reduction in diversity is identified and DEP concurs that the project did not adversely impact the wetland. 5. The permittee shall inspect monitoring wells, including water level loggers, at least monthly to ensure that they are not damaged and are functioning properly. If a damaged or malfunctioning well is identified, DEP shall be contacted immediately in writing, and the well shall be restored to its design specifications within two weeks, unless weather conditions do not permit and/or is otherwise extended in writing by DEP. 6. In the event that the water table falls below the bottom of a monitoring well and the water level logger in that well becomes inoperable, the well shall be inspected at a minimum of once every two weeks and the data logger shall be re-installed once the water table is again observed in the well. 7. DEP may require the monitoring period to be extended to confirm or disprove potential adverse impacts to EV wetlands. DEP will review the monitoring information submitted by the permittee and if DEP determines that the EV wetlands have been adversely impacted, the permittee shall submit to DEP for review and approval a narrative identifying the cause(s) of the impact and plans to correct it within 3 months after DEP has determined that the wetlands have been adversely impacted. If the cause(s) cannot be identified or if correction of the impact is deemed infeasible, the permittee shall submit to DEP for review and approval plans and a schedule to create (identify required mitigation area) acres of (identify the wetland mitigation required) wetlands in or along the floodplain of (identify the receiving stream) or one of its tributaries within 6 months of DEP's determination of an adverse impact, unless an alternate location for wetland creation is approved and/or this deadline is extended in writing by DEP. Construction of the replacement wetlands shall begin no later than one year after DEP's determination of an adverse impact, unless an alternate deadline is established in writing by DEP.

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

Southeast Regional Office

Applicant: **RCM VIII LLC**

Applicant Address: 171 State Route 173, Suite 201, Asbury, NJ 08802-1365

Application Number: **PAD460089**

Application Type: New

Municipality/County: Horsham Township, **Montgomery County**

Project Site Name: 853 W. County Line Road Warehouse Development

Total Earth Disturbance Area (acres): 28.20 acres

Surface Waters Receiving Stormwater Discharges: Park Creek (WWF-MF), UNT to Park Creek (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 proposed development includes the construction of a 100,000 SF warehouse and a 224,000 SF warehouse. Additional improvements include lighting, landscaping, grading, walkways, driveways, utilities, parking and associated items.

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: **178 West Main, LP, c/o Rudy Amelio**

Applicant Address: 1348 Hamilton Street, Allentown, PA 18102

Application Number: **PAD390213 A-3**

Application Type: Renewal & Major Amendment

Municipality/County: Macungie Borough, **Lehigh County**.

Project Site Name: Main Street Commons—Ph II—Major Amendment (Mavis Tire)

Total Earth Disturbance Area (acres): 6.0 acres

Surface Waters Receiving Stormwater Discharges: Swabia 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: Development of an express car wash, commercial storage facility, tire repair facility, extension of cul-de-sac for site, and stormwater controls.

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: **1600 Freemansburg Associates, LLC**

Applicant Address: 300 Conshohocken State Road, Suite 250, West Conshohocken, PA 19428-3801

Application Number: **PAD480141 A-2**

Application Type: Major Amendment

Municipality/County: Bethlehem Township, Freemansburg Borough, **Northampton County**

Project Site Name: Freemansburg Industrial

Total Earth Disturbance Area (acres): 76.10 acres

Surface Waters Receiving Stormwater Discharges: 1. Nancy Run (HQ-CWF, MF), 2. 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 consists of an 866,350 SF proposed warehouse with associated site improvements, 3 rain gardens, and 2 aboveground detention basins used for capture and reuse.

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.

Southcentral Regional Office

Applicant: **Alleghenyville Mennonite Church**

Applicant Address: 692 Yellow Hill Road, Narvon, PA 17555

Application Number: **PAD060101**

Application Type: New

Municipality/County: Brecknock Township, **Berks County**

Project Site Name: Alleghenyville Mennonite Church

Total Earth Disturbance Area (acres): 7.12 acres

Surface Waters Receiving Stormwater Discharges: Sleepy Hollow (HQ-CWF, MF) and UNT to Muddy 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: Church and associated parking and stormwater facilities.

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: **PTV 1373 LLC**

Applicant Address: 400 Penn Center Blvd. Building 4, Suite 1000, Pittsburgh, PA 1523.

Application Number: **PAD060099**

Application Type: New

Municipality/County: Longswamp Township, **Berks County**

Project Site Name: Dollar General—Mertztown, PA

Total Earth Disturbance Area (acres): 2.80 acres

Surface Waters Receiving Stormwater Discharges: Toad Creek (HQ-CWF, MF)

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

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

Project Description: Construction of a 10,640 square foot retail store with parking and site amenities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Southeast Regional Office

Applicant: **Department of the Navy, Public Works Department Pennsylvania**

Applicant Address: 4921 South Broad Street, Philadelphia, PA 19112

Application Number: **PAD510241**

Application Type: New

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: Building 77/87 Complex—Philadelphia Navy Yard

Total Earth Disturbance Area (acres): 0.48 acre

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 Phase 1 project involves the construction of a crash rated perimeter around the Building 77/87 Complex to upgrade the level of protection from selected design basis threats in compliance with DoD/UFC requirements.

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: **Artisan Land Company**

Applicant Address: P.O. Box 689, Devon, PA 19333-0689

Application Number: **PAD150327**

Application Type: New

Municipality/County: East Coventry Township, **Chester County**

Project Site Name: Village at Fricks Lock

Total Earth Disturbance Area (acres): 63.96 acres

Surface Waters Receiving Stormwater Discharges: UNT to Schuylkill River (HQ-TSF, MF), Schuylkill River (WWF, MF)

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

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

Project Description: Construction of 155-lot subdivision and access roads across multiple parcels. Fricks Lock Road will be re-aligned with project.

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: **Endress & Hauser, Inc.**

Applicant Address: 2350 Endress Place, Greenwood, IN 46143

Application Number: **PAD230080**

Application Type: New

Municipality/County: Edgmont Township, **Delaware County**

Project Site Name: Endress & Hauser, Inc. Northeast Regional Center

Total Earth Disturbance Area (acres): 11.6 acres

Surface Waters Receiving Stormwater Discharges: Crum Creek (CWF, MF), Plumsock Run Tributary to Ridley 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: Four undeveloped parcels will be combined into one lot. A warehouse/office building will be constructed on the newly formed lot. The neighboring property with the same owner will have a stormwater basin installed. Improvements associated with the development such as grading, onsite parking, and stormwater management facilities will be completed.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

Southcentral Regional Office

Applicant: **M21 Capital, LLC**

Applicant Address: 3400 South Blackhorse Road, Parkesburg, PA 19365

Application Number: **PA360002D**

Application Type: New

Municipality/County: Sadsbury Township, and West Sadsbury Township, **Lancaster County** and **Chester County**

Project Site Name: M21 Capital Development

Total Earth Disturbance Area (acres): 3.19 acres

Surface Waters Receiving Stormwater Discharges: Pine Creek (TSF, MF), UNT to Pine Creek (TSF, MF), Pine Creek (TSF, MF) via EV Wetlands and UNT to Pine Creek (TSF, 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: Construction of a commercial shop and private residential dwelling.

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: **Dustin Bradick**

Applicant Address: 447 Narigon Run Road, Claysville, PA 15323

Application Number: **PAD630074**

Application Type: New

Municipality/County: Independence Township, **Washington County**

Project Site Name: Bradick Estates

Total Earth Disturbance Area (acres): 4.08 acres

Surface Waters Receiving Stormwater Discharges: UNT to Brush Run (HQ-WWF)

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

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

Project Description: The construction of a single-family residential home, the planned site will consist of a single-family home, new gravel driveway, and stormwater management facilities.

Special Conditions: This permit does not authorize any obstructions or encroachments to any regulated watercourse or floodway. All permitting required for impacts to regulated watercourses or their floodway are subject to 25 Pa. Code Chapter 105. Appropriate authorization for impacts which require permitting under Chapter 105 must be obtained prior to beginning earth disturbance.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Northeast Regional Office

Applicant: **Navid Hadian**

Applicant Address: 6980 Stella Circle, Coopersburg, PA 18036-9740

Application Number: **PAD390281**

Application Type: New

Municipality/County: Lower Milford Township, **Lehigh County**

Project Site Name: The Ridings at Saucon Creek—Lot 56 and 57

Total Earth Disturbance Area (acres): 7.04 acres

Surface Waters Receiving Stormwater Discharges: Saucon 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: A 9.0-acre property to be developed into two single family dwellings with a shared driveway and all underground utilities.

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: **PPL Electric Utilities Corporation**

Applicant Address: 1639 Church Road, Allentown, PA 18104

Application Number: **PAD480211**

Application Type: New

Municipality/County: Lower Mount Bethel Township, Plainfield Township, Upper Nazareth Township, Bushkill Township, Washington Township, Stockertown Borough, **Northampton County**

Project Site Name: Martins Creek - Nazareth Rebuild (D2) Project

Total Earth Disturbance Area (acres): 411.6 acres

Surface Waters Receiving Stormwater Discharges: UNT to Shoeneck Creek (WWF, MF), UNT to Bushkill Creek (HQ-CWF, MF), Bushkill Creek (HQ-CWF, MF), UNT to Little Bushkill Creek (HQ-CWF, MF), Little Bushkill Creek (HQ-CWF, MF), UNT to Mud Run (CWF, MF), Martins Creek (HQ-CWF, MF), UNT to Little Martins Creek (CWF, MF), UNT to Oughoughton Creek (CWF, MF), UNT to 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: Removal and replacement of approximately 13.4 miles of existing steel and wooden electric transmission poles and electric transmission lines and the installation of new steel monopole electric transmission poles and electric transmission lines. The project includes 2.4 miles of line removal/retirement and 2.6 miles of maintenance work on existing electric transmission poles.

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.

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a

general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling 717-787-8821.

Individuals wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Benner's Swine Barn LLC 56 Platt Hollow Road Thompsontown, PA 17094	Juniata County	574	611.45	Swine	NA	Renewal
Troester's Dairy 175 Cannon Road Mifflinburg, PA 17844	Union County	985.1	2,321.08	Dairy	HQ	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.

Application No. 0824501, Construction, Public Water Supply.

Applicant	Monroe Franklin Elementary School
Address	21209 SR 414 Monroe, PA 18832
Municipality	Monroe Township
County	Bradford County
Responsible Official	Brian Driscoll 410 State Street Towanda, PA 18848
Consulting Engineer	Timothy K Steed 1 Elizabeth Street Towanda, PA 18848
Application Received	May 23, 2024
Description	Update an existing water treatment system to provide the well with necessary treatment—Iron and Manganese treatment.

Application No. 5924503, Construction, Public Water Supply.

Applicant Mansfield Borough Municipal Authority
Address 14 South Main Street
 Mansfield, PA 16933
Municipality Mansfield Borough
County Tioga County
Responsible Official Christopher McGann
 14 South Main Street
 Mansfield, PA 16933
Consulting Engineer Jimmie Joe Carl
 9 South Maple Street
 Corning, NY 14830
Application Received May 30, 2024
Description Removal of Fluoride Feed System.

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

Contact: Joseph Cherinko, P.E., Environmental Engineer, 570-826-2090.

Application No. 5824501, Construction, Public Water Supply.

Applicant Endless Mountains Real Estate Holdings LLC
Address 10543 State Route 29
 Montrose, PA 18801
Municipality Bridgewater Township
County Susquehanna County
Responsible Official Richard Serfass
 10543 State Route 29
 Montrose, PA 18801
Consulting Engineer Michael P. Goodwin
 12 Frear Hill Road
 Tunkhannock, PA 18657
Application Received May 8, 2024
Description The applicant proposes to replace the booster pump system and demonstrate 4-log inactivation of viruses.

Contact: Ryan Fox, Env. Engineering Specialist, 570-826-2533.

Application No. 4824501, Construction, Public Water Supply.

Applicant Easton Suburban Water Authority
Address 3700 Hartley Ave.
 Easton, PA 18045
Municipality City of Easton
County Northampton County
Responsible Official Craig Swinsburg
 3700 Hartley Ave.
 Easton, PA 18045
Consulting Engineer Gannett Fleming, Inc.
 207 Senate Ave.
 Camp Hill, PA 17011

Application Received February 20, 2024
Description Construction of Lower Nazareth Booster Pump Station located on Hecktown Rd.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Application No. 0724504, Construction, Public Water Supply.

Applicant Altoona Water Authority
Address 900 Chestnut Avenue
 Altoona, PA 16601
Municipality Logan Township
County Blair County
Responsible Official Mark A. Perry
 General Manager
 900 Chestnut Avenue
 Altoona, PA 16601

Consulting Engineer Gwin, Dobson, & Foreman
 3121 Fairway Drive
 Altoona, PA 16602

Application Received May 10, 2024
Description This project consists of upgrades to the ozone system and replacement chemical storage tanks at the Horseshoe Curve Water Treatment Facility.

Application No. 0724505, Construction, Public Water Supply.

Applicant Altoona Water Authority
Address 900 Chestnut Avenue
 Altoona, PA 16601
Municipality Tyrone Township
County Blair County
Responsible Official Mark A. Perry
 General Manager
 900 Chestnut Avenue
 Altoona, PA 16601

Consulting Engineer Gwin, Dobson, & Foreman
 3121 Fairway Drive
 Altoona, PA 16602

Application Received May 10, 2024
Description This application is for ozone system upgrades at the Kettle Water Treatment Facility.

WATER ALLOCATIONS

Application(s) 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.

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistance II, 570-327-0551.

WA-17-261C, Water Allocations. **Huston Twp Water Authority**, 11837 Bennetts Valley Hwy, Suite 2, Huston Twp, PA 15849, Huston Township, **Clearfield County**. Subsidiary Water Allocation Application received: May 16, 2024.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with DEP. A NOI to Remediate filed with DEP provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

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.

Huntsman Advanced Material, Primary Facility ID # **625187**, 408 Manor-Harrison City Road, Harrison City, PA 15636, Manor Borough, **Westmoreland County**. ERM, Inc., 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355 on behalf of Huntsman Corporation, 408 Manor-Harrison City Road, Harrison City, PA 15636, submitted a Notice of Intent to Remediate. Observations made during a 2020 Phase I environmental site assessment completed as part of a property ownership transfer identified the presence of a tar-like material at several locations near the facility main production area. Subsequent soil sampling completed between 2021 and 2023 to characterize the sub-surface conditions in this area. The results indicated several regulated substances including 1,1,2-trichloroethane, 1,1'-biphenyl, and manganese were present in soil at concentrations marginally exceeding nonresidential soil to groundwater MSCs at three of the 20 overall soil boring locations. The organic compounds also slightly exceeded the PA DEP nonresidential soil to indoor air screening values at two of these locations. The current use of the facility is nonresidential for the manufacture of various products such as varnishes, resins and industrial coatings. The intended future use of the facility will remain consistent with the current use. The Notice of Intent to Remediate was published in *Pittsburgh Tribune Review* on May 13, 2024. Application received: May 10, 2024.

State Correctional Institution Pittsburgh, Primary Facility ID # **875541**, 3001 Beaver Avenue, Pittsburgh, PA 15233, City of Pittsburgh, **Allegheny County**. KCI Technologies, Inc., 500 Cherrington Parkway, Suite 210, Moon Township, PA 15108 on behalf of Pennsylvania Department of General Services, 1800 Herr Street, Harrisburg, PA 17215, submitted a Notice of Intent to Remediate. The property covers approximately 21.7 acres with 42 buildings and supporting structures that were formerly used as the Pittsburgh State Correctional Institution. The property is not presently in use, except the site is sometimes used as a film set. The current structures on the property, except for the Main Penitentiary Building and guard towers, are to be demolished. The 5.2 acres to the west of the Main Penitentiary Building may be turned into a public park area. The area to the east of the Main Penitentiary Building is intended for industrial reuse. Some site contamination likely comes from historical chemical use, with metal shops and drycleaning activities formerly occurring at the Penitentiary. Additionally, gravel, coal, brick, and asphalt fill were identified across the site at depths up to 16 feet bgs. Some fill may be contaminated. Soils at the site may have concentrations of manganese and/or lead that exceed the nonresidential Act 2 standard. If future land use incorporates a public park west of the Main Penitentiary Building, then additionally Residential Standards (or site-specific standards) need to be met for arsenic in soil in that area. Groundwater at the site is impacted by tetrachloroethylene (PCE), trichloroethylene (TCE), aluminum, arsenic, iron, and manganese at concentrations exceeding the relevant nonresidential Act 2 standard. Groundwater to the east of the Main Penitentiary Building appears to flow to the north, towards Whitehall Street

and possibly offsite industrial properties. Further investigations are planned. If the property has contaminated offsite groundwater, the area will be characterized and included in the Act 2 site. The presence of PCE and TCE in groundwater may present a vapor intrusion threat to future buildings. The Notice of Intent to Remediate was published in *Pittsburgh Post-Gazette* on May 25, 2024. Application received: May 15, 2024.

MUNICIPAL WASTE GENERAL PERMITS

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

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7381.

Contact: Jason Dunham, Environmental Group Manager.

WMGR065SC001. Earthcare LLC, 3311 East Powell Avenue, Evansville, IN 47714. This permit application is for the storage and processing of municipal wastewater sewage sludge (biosolids) from municipal wastewater treatment plants for beneficial use as a fuel at power plants and cement kilns. Processing is limited to drying and gasification. The location of the facility is at 203 Kline Road, Bethel, PA 19507, Bethel Township, Berks County. The proposed modifications to General Permit WMGM065 are to the base general permit to: • authorizes additional uses of residential septage; animal manure/poultry litter; spent hens; animal mortality compost; depackaged food waste; digestate; fats, oils and greases (FOG); spent mushroom substrate; crop waste; perennial grasses; compost; yard waste; and unfinished, uncontaminated clean wood waste for beneficial use as a fuel at power plants, cement kilns or other Department approved combustions units; and • use in specific product as component in the manufacturing process or as a stand along product. The material subsequent to gasification, will hereinafter be referred to as “biochar.” A de-wasting provision will be considered as part of the final modifications to WMGM065. The de-wasting provision would follow the procedures in 25 Pa. Code § 287.7 (relating to determination that a material is no longer a waste), which requires a demonstration that the waste material does not harm or present a threat of harm to public health, safety, welfare, or the environment. The de-wasting provision would be contingent on the biochar meeting product specifications, and the biochar being sold to, distributed to, or under contract with, an end user. Application received: May 22, 2024.

Comments or questions concerning the application should be directed to Jason Dunham, Environmental Group Manager, 717-787-7381, Central Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7381. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: John Oren, Waste Management, Permits Section Chief, 717-705-4907.

100346. F.R.&S. Inc., 727 Red Lane Road, Birdsboro, PA 19508, Exeter Township, **Berks County**. Application for Major Permit Modification submitted by F.R.&S., Inc. for expansion of the Pioneer Crossing Landfill (Permit No. 100346). The proposed project will add 41.15 acres of new disposal area and approximately 29.5 years of operational capacity. The total permitted area of the facility would increase from 219 acres to 288.3 acres. Application received: April 26, 2024. Deemed administratively complete: May 29, 2024.

Comments or questions concerning the application should be directed to John Oren, Waste Management Permits Section Chief, (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. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

101642. A.J. Blosenski, Inc., 13146 Ballantyne Corporate Place, Suite 150, Charlotte, NC 28277, Ruscombmanor Township, **Berks County**. This application is for the reissuance of Permit No. 101642 for Berky's Lot 9 Container and Transfer Station, located at 15 Breezy Park Drive, Fleetwood, PA 19522, from the H&K Group, Inc. to A.J. Blosenski, Inc. due to change in ownership. Application received: April 30, 2024. Deemed administratively complete: June 3, 2024.

Comments or questions concerning the application should be directed to John Oren, Waste Management Permits Section Chief, (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. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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.

101226. John R. Savoy Enterprises, Inc., 52 Concord Road, Aston, PA 19014, Chester Township, **Delaware County**. This application is for a ten (10) year permit renewal to continue operation at the Savoy C&D Transfer Station, a construction/demolition waste processing and transfer facility, located at 52 Concord Road in Chester Township, Delaware County. Application received: May 30, 2024. Deemed administratively complete: June 4, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

Contact: Waste Program Manager.

100663. Kelly Run Sanitation, Inc., 1500 Hayden Boulevard, Elizabeth, PA 15037-0333, Forward Township, **Allegheny County**. Application to renew Municipal Waste Permit 100663 for the operation of the Kelly Run Landfill, located at 1500 Hayden Boulevard. Application received: May 17, 2024. Deemed administratively complete: June 3, 2024.

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

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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.

AWT Environmental Services, Inc., 32 Birch Street, Old Bridge, NJ 08857. **License No. PA-AH 0871.** Accepted: April 29, 2024.

Midwest Sanitary Service, Inc., P.O. Box 83, Wood River, IL 62095. **License No. PA-AH 0872.** Accepted: April 4, 2024.

Sustain, LLC, 4547 Bentwood Road, New Waterford, OH 4445. **License No. PA-AH 0919.** Accepted: May 22, 2024.

Page ETC, Inc., 2758 Trombley Road, Weedsport, NY 13166. **License No. PA-AH 0338.** Accepted: May 6, 2024.

IWT Transport, Inc., 5 Fir Court, Oakland, NJ 07346. **License No. PA-AH 0798.** Accepted: April 22, 2024.

Tri-County Industries, Inc., 159 TCI Park Drive, Grove City, PA 16127. **License No. PA-AH 0820.** Accepted: May 20, 2024.

Brook Ledge, Inc., P.O. Box 56, Oley, PA 19547. **License No. PA-AH 0855.** Accepted: April 29, 2024.

M.R. Dirt, Inc., 21186 RTE 187, Towanda, PA 18848. **License No. PA-AH 0899.** Accepted: April 22, 2024.

JRP Waste Oil Services, Inc., P.O. Box 570, Oxford, PA 19363. **License No. PA-AH 0926.** Accepted: May 6, 2024.

Radiac Research Corp., 261 Kent Avenue, Brooklyn, NY 11249. **License No. PA-AH S007.** Accepted: May 8, 2024.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste License.

Renewal Applications Received

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

Contact: Jonathan Adams.

Environmental Waste Minimization, Inc., 14 Brick Kiln Ct, Northampton, PA 18067. **License No. PA-HC 0219.** Accepted: April 11, 2024.

AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Any individual wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if DEP, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in

the newspaper, the *Pennsylvania Bulletin* or by telephone, when DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP Regional Office.

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

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

PLAN APPROVALS

Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.

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

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

10-00380D: Mountain Gathering, LLC 190 Thorn Hill Road, Warrendale, PA 15086, Jefferson Township, **Butler County**. Application received: May 16, 2024.

Applicant submitted a Plan Approval Application to modify emission limits in their operating permit.

Contact: David G. Balog, P.E., New Source Review Section Chief, 814-332-6328.

25-01072A: IRG Erie, Inc. 1565 East Lake Road, Erie, PA 16533, City of Erie, **Erie County**. Application received: May 3, 2024.

IRG Erie, Inc. is proposing to construct a plastics recycling facility in Erie, PA to transform general plastic recyclables into speciated material.

PLAN APPROVALS

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

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

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

24-00131AA: SGL Carbon, 900 Theresia Street, Saint Marys, PA 15857, City of Saint Marys, **Elk County**. Application received: March 8, 2024.

Intent to Issue Plan Approval 24-00131AA: SGL Carbon, LLC (900 Theresia Street, Saint Marys, PA 15857). The Department of Environmental Protection intends to issue a plan approval to SGL Carbon to install three new Chemical Vapor Deposition (CVD) Reactors and three (3) wet scrubbers to control emissions of HCl at their facility located in City of Saint Marys, Elk County SGL is a Natural Minor facility and a manufacturer of graphite products under State Only Permit No. 24-00131. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. SGL seeks approval to install three new Chemical Vapor Deposition (CVD) Reactors (Source IDs 7117—7119) and three (3) wet scrubbers (Source IDs C7117—C7119) to control emissions of HCl. In their analysis, Active Carbon Absorbers and Wet Scrubbers were both found to be efficient and cost effective. However, Active Carbon Absorbers are only effective when dealing with small flows of HCl. SGL also determined that wet scrubbers are the more effective option. Their analysis indicates that these scrubbers will achieve an HCl emission rate of 0.02 lb/hr.

These CVD Reactors process graphite at a rate of 33 lbs/hr and operate 7,488 hours annually. Reactor 17 (Source ID 7112) is an almost identical source utilizing the same emission control technology as the subject sources. The most recent stack test on 17 was used in the emission analysis of the subject sources. The subject sources will have a slightly higher flow of Methyltrichlorosilane (15 kg/hr vs. 12 kg/hr), so the calculations show an ultimate emission of HCl of 0.002875 instead of 0.0023 lb/hr per sources. This increase can still meet the current limits of their existing CVD Reactors in their operating permit. We recommend keeping the same emission limits as the existing reactors of 0.02 lb/hr.

Based on BAT and regulatory criteria the emission limits of 7117—7119 (each) will be:

- 0.04 gr/dscf PM
- 0.02 lbs/hr HCl

Potential emissions from the subject source(s) will be as follows:

	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}	VOC	HCl
7117							0.02
7118							0.02
7119							0.02

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. 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 Regional Air

Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (24-00131AA: SGL Carbon, LLC) 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 Eric Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819. In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

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.

15-0085D: Lincoln University, 1570 Baltimore Pike, Lincoln University, PA 19532, Lower Oxford Township and Upper Oxford Township, **Chester County**. Application received: April 22, 2024. Plan Approval No. 15-0085D is being revised through a modification to increase the fuel restrictions on Source ID 734A (Misc. No. 2 Fuel Oil-Fired Combustion Sources) and Source ID 736 (Misc. Natural Gas-Fired Combustion Sources). Lincoln University is a Synthetic Minor facility. Combined potential emissions from the two source categories after the increase in fuel restrictions is: NO_x—4.31 tons per year (TPY); VOC—0.23 TPY; CO—3.56 TPY; PM—0.33 TPY; SO_x—0.03 TPY; HAP—0.08 TPY. The facility-wide NO_x limit remains at 24.9 TPY. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-63-01078A: Imperial Landfill Gas Company LLC, 5087 Junction Road, Lockport, NY 14094, Robinson Township, **Washington County**. Application received: March 22, 2024. Notice is hereby given in accordance with 25 Pa. Code § 127.44 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 63-01078A to allow the installation and operation of one (1) Spark Ignition, 4 Stroke, Natural Gas-Fired, Rich Burn Engine, rated at 840 BHP equipped with a Non-Selective Catalytic Reduction Device and compressor for the transmission of pipeline quality renewable natural gas. The engine will be located at a new facility in Robinson Township, Washington County at Latitude 40°, 26', 54" N and Longitude 80°, 20', 15.9936" W. The proposed project potential to emit will not exceed

1.62 tons per year of nitrogen oxides (NO_x), 2.43 tons per year of carbon monoxide (CO), 0.02 ton per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 0 ton per year of sulfur dioxide (SO₂), 31.82 tons per year of volatile organic compounds (VOC), 0.06 ton per year of total hazardous air pollutants (HAPs) and 0.06 ton per year of Hexane, the single highest hazardous air pollutant from the project. This authorization is subject to State Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be issued an operating permit for continued operation. The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A person may oppose the proposed plan approval by filing a written protest with the Department through Christopher Baker, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; chrbake@pa.gov; or fax 412.442.4096. 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-63-01078A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of 30 business days after the date of this publication. 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 notifications is sufficient. Written comments or requests for a public hearing should be directed to Christopher Baker, Air Quality Engineer Trainee, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to chrbake@pa.gov. All comments must be received prior to the close of 30 business days after the date of this publication.

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.

49-00054, Meckley's Limestone Products, Inc., P.O. Box 503, Herndon, PA 17830, Mahanoy Township, **Northumberland County**. Application received: November 16, 2023. The Department intends to issue a renewal State Only Operating Permit authorization to permit continued

operation of the existing Herdon plant. The facility's main sources are comprised of a primary and secondary crushing operation consisting of feeders, crushers, conveyors and other associated equipment; a limestone drying operation and a 200-ton per hour asphalt concrete batch plant. The type and quantity of pollutants emitted on a facility-wide basis are, as follows: 31.4 tons/year (tpy) NO_x; 51.9 tpy CO; 17.2 tpy VOC; 69.8 tpy PM (and PM₁₀ and PM_{2.5}); 80.5 tpy SO_x; 1.86 tpy HAPs (total); and 33,666 tpy CO_{2e}. The renewal operating permit contains all other applicable requirements, including appropriate testing, monitoring, recordkeeping, reporting, work practice and other requirements to verify compliance. The applicable requirements are derived from 25 Pa. Code Article III, Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

Contact: Norm Frederick 570-826-2409.

54-00035, Tredegar Film Prod, Inc., 30 Maple Ave, Pottsville, PA 17901-9137, East Norwegian Township, **Schuylkill County**. Application received: November 17, 2023. The Department intends to issue a renewal State-Only (Natural Minor) Permit to manufacture unsupported plastics, film, and sheet facility located in Norwegian Township, Schuylkill County. The primary sources consist of fifteen (15) plastic extrusion lines. The control devices consist of a baghouse. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

20-00264, Salt Painting, Inc., 17918 State Highway 198, Saegertown, PA 16433, Hayfield Township, **Crawford County**. Application received: May 23, 2023. The Department intends to issue the renewal of the State-Only Operating Permit of a facility that provides painting, cleaning, coating and sandblasting services to industrial plants and facilities. Air pollutant-emitting activities covered by this permit are those performed and located at the facility, namely abrasive blasting, surface coating, a curing oven, and a diesel compressor. With PTEs below major source thresholds, the facility has been permitted as Natural Minor. There are no significant changes to this renewal permit.

37-00181, American Hard Chrome, LLC, 925 Industrial St, New Castle, PA 16102-1329, City of New Castle, **Lawrence County**. Application received: November 10, 2023. The Department intends to issue the renewal State Only Natural Minor Operating Permit for operation of the hard chrome plating facility. The facility's primary emission sources include miscellaneous natural gas combustion, natural gas-fired space heaters, four (4) chrome plating tanks, and miscellaneous VOC sources. The po-

tential emissions of the primary pollutants from the facility are as follows: 2.194 TPY NO_x, 0.974 TPY CO, 0.324 TPY VOC, 0.112 TPY total HAPs, 0.001 TPY Chromium, 0.057 TPY filterable PM₁₀ and PM_{2.5}, and 0.013 TPY SO_x; thus, the facility is a natural minor. The chrome plating tanks are subject to 40 CFR Part 63 Subpart N, the NESHAP for Chromium Emissions from Hard Chromium Electroplating and Chromium Anodizing Tanks. 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.

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.

01-05020, Knouse Foods Cooperative, Inc., 53 E. Hanover St., Biglerville, PA 17307, Biglerville Borough, **Adams County**. Application received: February 28, 2024. For the operation of a fruit processing facility. This is for renewal of the existing state-only permit. Potential air emissions from the facility are estimated at 9.69 tpy PM₁₀, 56.17 tpy NO_x, 14.39 tpy CO, 1.04 tpy VOC, 72.09 tpy SO₂, and less than 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.

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

38-03028, Brentwood Industries, Inc.—Lebanon Plant, 2101 Lehman St., Lebanon, PA 17046, West Lebanon Township, **Lebanon County**. Application received: March 12, 2024. For operation of a PVC extrusion and recycling facility. The potential emissions from the facility are 5.06 tpy of VOC and 2.60 tpy of PM. 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 regulation. Among other items, the conditions include 25 Pa. Code § 123.2 for fugitive particulate matter, 25 Pa. Code § 123.31 for malodors and 25 Pa. Code § 123.41 for visible emissions.

36-05007, Johnson & Johnson Consumer, Inc./Lititz, 400 W. Lincoln Ave., Lititz, PA 17543, Lititz Borough, **Lancaster County**. Application received: February 28, 2024. For operation of an over-the-counter consumer goods manufacturing facility. The facility actual emissions for 2021 are 5.23 tons of CO, 6.24 tons of NO_x, 0.47 ton of PM, 0.04 ton of SO_x, and 6.37 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 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Combustion Engines and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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.

15-00151, Pacer Industries Inc., 200 Red Rd, Coatesville, PA 19320, Valley Township, **Chester County**. Application received: August 11, 2023. This action is for a renewal of State Only (Natural Minor) Operating Permit No. 15-00151 for its grinding wheel manufacturing facility. The main sources of air contaminants at the facility are a depolymerized natural rubber (DPR) production process and resin and cork grinding wheel finishing machines. Since its last renewal in April 2019, no significant physical changes have occurred at the facility. Volatile organic compound (VOC) emissions from the DPR production process are controlled by a water-cooled condenser with chiller and a thermal oxidizer before exhausting into the outdoor atmosphere. The DPR production process is subject to a VOC emission concentration restriction of 20 ppmv, dry basis, as methane (7 ppmv, dry basis, as propane), averaged on an hourly basis. Based on the results of a stack test performed in 2017, the potential to emit VOCs from the DPR production process is less than 125 lbs/yr (at less than 10% of the concentration restriction). Particulate matter (PM) emissions from the grinding wheel finishing machines are controlled by a cyclone and dust collector before exhausting into the outdoor atmosphere. The potential to emit PM from the grinding wheel finishing machines is less than 25 lbs/yr. The renewal SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@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.

63-00641, Regal Industrial Corp, P.O. Box 291 98 East First St, Donora, PA 15033, Donora Borough, **Washington County**. Application received: July 19, 2023.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Synthetic Minor State Only Operating Permit (SOOP) for operation of the Donora Plant located in Donora Borough, Washington County.

Air contamination sources at the facility include abrasive blasting operations, industrial surface coating of steel products, and plant paved and unpaved roads. The primary pollutants of concern are volatile organic compounds (VOC) and hazardous air pollutants (HAP) from the surface coating operations. To maintain a synthetic minor operating status, facility emissions are restricted to 45.0 tons of VOC, 9.4 tons of single HAP, and 24.0 tons of combined HAP. The renewal of this operating permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting, and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

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>.

To request an electronic copy of the Air Quality Review Memorandum or to receive an electronic copy of the proposed renewal Air Quality Operating Permit for this facility, a person may contact Tom Joseph, P.E., Air Quality Manager, at 412-442-4336.

Any person may submit comments, a request for the DEP to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 63-00641) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the DEP, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the DEP determines such notification by telephone is sufficient.

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, P.E., Environmental Group Manager.

40-00145C, UTZ Quality Foods LLC, 900 High Street, Hanover Twp., PA 17331, Hanover Township, **Luzerne County**. Application received: April 3, 2024. Plan Approval No. 40-00145C is for the installation of a two new Kettle Lines with fryers and demisters (Lines 9 and 10). VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.13 for particulate emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit 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 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00145C 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, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

48-00122C, II-VI Advanced Materials LLC, 2251 Newlins Mill Road, Easton, PA 18045, Palmer Township, **Northampton County**. Application received: April 24, 2024. Plan Approval No. 48-00122C is for the installation and operation of two (2) silicon carbide epitaxial growth reactors. Emissions will be controlled by the use of a scrubber/combustor. VOC emissions from the plant will be under 50 TPY threshold limit, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.13 for particulate emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. The Plan Approval and Operating permit 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 18711. 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.: 48-00122C 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, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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

Coal Applications

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

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 32150101. NPDES No. PA0279421. Britt Energies, Inc., P.O. Box 515, Indiana, PA 15701, West Wheatfield Township, **Indiana County**. Permit transfer from Amerikohl Mining Inc., 202 Sunset Drive, Butler, PA 16001 for a Post-Mining Discharge Treatment Trust Consent Order and Agreement affecting 3.0 acres. Receiving streams: unnamed tributary to/and Roaring Run to Conemaugh River, classified for the following use: CWF. Application received: June 3, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17714022. NPDES No. PA0611034. A. W. Long Coal Company, 127 Logan Street, Philipsburg, PA 16866, Morris Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 149.9 acres. Receiving stream(s): Hawk Run and Moshannon Creek classified for the following use(s): (CWF, TSF). Application received: May 28, 2024. Accepted: June 3, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 19960101. NPDES No. PA0226441. City of Philadelphia Trustee, 1101 Market Street, Suite 2600, Philadelphia, PA 19107, Union, Butler, and Conyngham Townships, **Schuylkill and Columbia Counties**. New NPDES Permit on an Anthracite Coal Refuse Reprocessing & Coal Refuse Disposal operation affecting 876.0 acres. Receiving stream: Big Mine Run, a tributary to Mahanoy Creek, classified for the following use: CWF, MF. Application received: April 22, 2024. Accepted: April 30, 2024.

Mining Permit No. 40930102. Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803-1649, Hazle and Butler Townships, **Luzerne County**. Correction to an anthracite surface mine operation to change the location for the fine refuse catchment area affecting 696 acres. Receiving stream: Jeddo Tunnel Mine Pool to Little Nescopeck Creek, classified for the following uses: CWF, MF. Application received: May 1, 2024. Accepted: May 15, 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.

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

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

Contact: Alicia Cook, Clerical Assistant 3, 814-343-3328.

Mining Permit No. 37070301. NPDES No. PA0258407. 422 Aggregates, LLC, 3340 U.S. Route 422, New Castle, PA 16101, Slippery Rock Township, **Lawrence County**. Renewal of an NPDES permit associated with a large noncoal mining site. Application received: May 29, 2024.

Mining Permit No. 10210302. Three Rivers Aggregates, LLC, 321 Currie Road, Slippery Rock, PA 16057, Worth Township, **Butler County**. Revision to an existing bituminous surface mine to add 20.5 acres. Application received: May 31, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 8176SM1. McAvoy Vitriified Brick Company, P.O. Box 468, Phoenixville, PA 19460-0468, Schuylkill Township, **Chester County**. Correction to a large noncoal mine operation to reduce the 100-foot restricted zone. Application received: May 9, 2024. Accepted: May 15, 2024.

Mining Permit No. 58242507. NPDES No. PA0226459. Thomas J. Kazmierczak, Sr., 1000 Union Street, Taylor, PA 18517-1607, New Milford Township, **Susquehanna County**. New NPDES Permit on a GP105 quarry operation affecting 11.5 acres. Receiving stream: Salt Lick Creek to East Lake Creek, classified for the following uses: HQ-CWF, MF. Application received: April 17, 2024. Accepted: April 30, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Coal NPDES Draft Permits

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

CORRECTION—previously published on May 25, 2024

PA0236624. Mining Permit No. 32221302. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Pine Township, **Indiana County**. Application received: November 4, 2022. Accepted: December 20, 2022.

A new NPDES and mining activity permit, affecting 94.3 proposed surface acres and 5,366.0 proposed underground acres. Receiving stream(s): Unnamed Tributary to North Branch Blacklick Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. Application received: November 4, 2022. Application accepted: December 20, 2022.

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

The proposed effluent limits for Outfall 001 discharging to Unnamed Tributary (# 8) to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Tributary 44555 to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 44555 to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	2,000	4,000	5,000
Sulfate	(mg/l)	-	-	-	Report
OP	(mOs/kg)	-	-	-	Report

The EPA Waiver is not in effect.

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

Contact: RA-EPCAMBRIADMO@pa.gov.

NPDES No. PA0269361. Mining Permit No. 56130111. Coal Loaders, Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, Stonycreek Township, **Somerset County**. Renewal of an NPDES permit affecting 44.9 acres related to a coal mining activity permit. Receiving stream: Stonycreek, classified for the following use: CWF. The receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 19, 2024.

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

There are no point source discharges remaining on this permit. This mine site contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

NPDES No. PA0279919. Mining Permit No. 56230102. Wilson Creek Energy, LLC, P.O. Box 260, Friedens, PA 15541, Somerset Township, **Somerset County**. New NPDES permit affecting 130.5 acres related to a coal mining activity permit. Receiving stream: unnamed tributary to/and Kimberly Run, classified for the following use: CWF. The receiving streams are included in the Coxes Creek TMDL. Application received: December 5, 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 tributary to/and Kimberly Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	New	Stormwater	Precipitation Induced
002	New	Stormwater	Precipitation Induced
003	New	Stormwater	Precipitation Induced
004	New	Treatment Facility	Intermittent
005		Treatment Facility	Intermittent

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

Outfalls: 001—005 (All Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	1.6	3.2	4.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0243337. Mining Permit No. 17020112. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County.** Application received: January 10, 2024.

Renewal of an NPDES permit for discharge of water resulting from bituminous coal surface mining affecting 230.5 acres. Receiving streams: Big Run, Shimel Run, and an unnamed tributary (UNT 'A') to Moshannon Creek, classified for the following use: CWF. These receiving streams are included in the Moshannon Creek Watershed TMDL.

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

The following outfalls discharge to Big Run, Shimel Run, or UNT 'A' to Moshannon Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	SPA	Precipitation Induced
002	Existing	SPB	Precipitation Induced
004	Existing	SPD	Precipitation Induced
005	Existing	SPE	Precipitation Induced
006	Existing	SPF	Precipitation Induced
007	Existing	SPG	Precipitation Induced
008	Existing	SPH	Precipitation Induced
009	Existing	TP1	Intermittent (pumped)
010	Existing	TP2	Intermittent (pumped)
011	Existing	TP3	Intermittent (pumped)
012	Existing	TP4	Intermittent (pumped)
013	Existing	TP5	Intermittent (pumped)
014	Existing	TP6	Intermittent (pumped)
015	New	TP7	Intermittent (pumped)

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

Outfalls: 001 and 004—008 (Dry Weather Discharges)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	Report		
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)	Report		
Flow (gpm)	Report		
Temperature (°C)	Report		
Specific Conductivity (µmhos/cm)	Report		

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

<i>Outfalls: 001 and 004—008 (Discharges after ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	N/A	N/A	7.0
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Sulfate (mg/L)	Report		
Flow (gpm)	Report		
Temperature (°C)	Report		
Specific Conductivity (µmhos/cm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

*Outfalls: 001 and 004—008 (Discharges after
>10-yr/24-hr Precip. Event)*

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 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.3	4.6	5.7
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 009—015 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

This site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87, Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

Noncoal NPDES Draft Permits

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

Contact: Alicia Cook, Clerical Assistant 3, 814-343-3328.

NPDES No. PA0280691. Mining Permit No. 20192801. Meadville Redi-Mix Concrete, Inc., P.O. Box 418, Meadville, PA 16335, Summit Township, **Crawford County**. Renewal of an NPDES permit for management of water on a small industrial minerals surface mine affecting 7.0 acres. Receiving stream(s) Inlet Run, classified for the following use(s): HQ-WWF. Application received: March 19, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0010235. Mining Permit No. 67870301. York Building Products Co., Inc., 950 Smile Way, Suite A, York, PA 17404, City of York and West Manchester Township, **York County**. Application received: September 18, 2023.

Modification of NPDES permit affecting 277.59 acres. Receiving stream: Willis Run, classified for the following use: WWF.

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

The following treated wastewater outfalls discharge to Willis Run:

<i>Outfall Number</i>	<i>New Or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
002	Existing	Treatment Facility Outfall	2.16 MGD
003	Existing	Treatment Facility Outfall	1.44 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 ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) (Outfall 002)		2.16		4.6
Discharge (MGD) (Outfall 003)		1.44		4.6

ⁱThis Parameter is applicable at all times

NPDES Permit No. PA0225924. Mining Permit No. 64182503. Rutledge Unlimited, LLC, 2495 Hancock Highway, Equinunk, PA 18417, Damascus Township, **Wayne County**. Renewal of an NPDES Permit affecting 11.4 acres. Receiving streams: UNT to Equinunk Creek and Branch Calkins Creek, classified for the following uses: HQ-CWF, MF. The operation does not discharge to the waters of the Commonwealth. Application received: October 3, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

E0503224-001. Broad Top Township, 124 Hitchens Road, P.O. Box 57, Defiance, PA 16633, Broad Top Township, **Bedford County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 19, 2024.

Install, place, and maintain a 77 foot long, 4-inch wide PVC effluent discharge outfall pipe with associated sanitary sewer easement area within a forested exceptional value wetland resulting in 0.04 acre of permanent and 0.02 acre of temporary wetland impact; 2) construct, place, and maintain a 2-foot by 1-foot riprap outfall in the floodway of an Unnamed Tributary to Sherman Valley Run (CWF, MF) resulting in 20 square feet of permanent and 20 square feet of temporary floodway impact; all for the purpose of constructing and installing a residential small flow sewage treatment facility. The project is located at 189 Valley Church Road in Hopewell, Broad Top Township, Bedford County (Latitude: 40.10569; Longitude -78.21406). Permanent wetland loss is less than 0.05 acre and replacement is not required.

E3803224-001. Darren Zimmerman, 134 Michters Road, Newmanstown, PA 17073, Jackson Township, **Lebanon County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 29, 2024.

To install and maintain a 2.0-inch PVC sanitary sewer line under and across exceptional value palustrine emergent/scrub shrub wetlands and an unnamed tributary to Tulpehocken Creek (CWF, MF) via directional bore, all impacting 20.0-linear feet of stream and 0.055 acre of wetlands and all for the purpose of constructing a proposed car wash. The project is located at 651 West Lincoln Avenue (Latitude: 40.367231°N; Longitude: 76.340592°W) in Jackson Township, Lebanon County. Wetland loss will not occur, and replacement is not required.

E3603224-002. City of Lancaster, 150 Pitney Road, Lancaster, PA 17401, City of Lancaster, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 25, 2024.

To construct, install, and maintain 825 linear feet of 12 feet wide pedestrian trail and fence along the floodway and floodplain of Conestoga River (WWF) resulting in 0.6 acre of permanent floodway impact and 2.) to construct and maintain a transformer enclosure resulting in 0.02 acre of permanent floodway impact; all for the purpose of constructing a paved pedestrian walking trail and a protection wall for an existing transformer. The project is located 0.11 mile southeast of the intersection of E Walnut St. and Pleasure Rd (Latitude: 40.050715, Longitude: -76.275825). No wetland impact is proposed with this project.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: ra-ep-ww-sero-105@pa.gov.

E4601224-010. Perkiomen Township, 1 Trappe Road, Collegeville, PA 19426, Perkiomen Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 27, 2024.

Perkiomen Township is proposing to demolish the existing house which is located in and along the 100-year floodplain of Perkiomen Creek (WWF, MF) with total floodplain impact of 0.11 acre. The proposed work will include removing the existing house, existing shed, and retaining wall and to restore the site to be open space. This project is funded by grant from PEMA. An authorization was issued under E4601223-007 last October to demolish five other properties. The house is located at 574 Gravel Pike (Collegeville, PA USGS map) in Perkiomen Township, Montgomery County. Latitude: 40.223841°, Longitude: -75.422774°.

Contact: ra-ep-ww-sero-105@pa.gov.

E2301224-006. Upper Chichester Township, 8500 Furey Road, Aston, PA 19014, Upper Chichester Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Application received: May 29, 2024.

Upper Chichester Township is proposing to perform Chapter 106 floodplain restoration activities at 2409 West Colonial Drive which includes 0.09 acre of disturbance within the 100-year floodplain of Spring Run. This activity includes demolition of existing structures, removal of debris, and site restoration and stabilization of all disturbed areas (USGS PA Marcus Hook Quadrangle). Latitude: 39.843396°, Longitude: -75.462584°.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.

Contact: Brian Medellin, Civil Engineer Hydraulic, 717-772-5947.

D63-100. Allegheny Energy Supply Company LLC, 800 Cabin Hill Drive, Greensburg, PA 15601, Union Township, **Washington County**. Application to modify, operate, and maintain Mitchell Sludge Sedimentation Pond Dam, across an unnamed tributary to the Monongahela River, WWF, impacting neither wetlands nor stream for the purpose of installing a new gravity pipeline, modification of the existing discharge structure, and installation of a new weir structure, Latitude: 40.223889°, Longitude: -79.976667°. Application received: April 24, 2023.

Contact: Ronald Mease, PE, Senior Civil Engineer.

D61-020. Pennsylvania Fish and Boat Commission, 595 Rolling Ridge Drive, Bellefonte, PA 16823-9620, Richland Township, **Venango County**. Application to modify, operate and maintain Kahle Lake Dam (D-061-020) across Mill Creek for the purpose of rehabilitating the dam to comply with the Commonwealth's regulations. The primary modifications include replacement of the existing spillway with a higher capacity labyrinth spillway, and raising the embankment crest elevation 1.2 feet, Latitude: 41.2355°, Longitude: -79.6621°. Application received: April 19, 2023.

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 regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Individuals wishing to comment on the proposed permit are invited to submit a statement to the appropriate DEP Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

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

Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCP #	ESP07652400100E
Applicant Name	CNX Midstream Operating Co LL—MAM14 U1

Contact Person	Nicole Miller Project Manager (724) 433-2051 nicolemiller@cnx.com	County	Westmoreland County
Address	0.3 mile east of Marco Rd and Beaver Run Rd	Receiving Stream(s) and Classification(s)	Beaver Run TSF Trib. 42938 to Beaver Run TSF UNTs to Beaver Run TSF Trib. 42945 to Beaver Run TSF UNTs to Trib. 42938 to Beaver Run TSF
City, State, Zip	Apollo, PA 15613	Application received:	May 22, 2024
Township(s)	Bell Township Washington Township		

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPUBLICNOTICE.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board’s

rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, 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 QM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA630010D	Chapter 102 Individual NPDES Permit	Issued	First Energy Corp 76 South Main Street Akron, OH 44308	Buffalo Township Washington County	SWRO
PAD020078	Chapter 102 Individual NPDES Permit	Issued	US Department of Veterans Affairs Medical Center University Drive C Room AN 306 Pittsburgh, PA 15215	Ohara Township Allegheny County	SWRO
PAD070034	Chapter 102 Individual NPDES Permit	Issued	Bl-Diamond LLC d/b/a Ampliform LLC 40 E Montgomery Avenue Ardmore, PA 19003-2421	Greenfield Township Blair County	SCRO
PAD140054	Chapter 102 Individual NPDES Permit	Issued	NVSCRE LLC 1304 Megan Dr. PMB 261 State College, PA 16803-3166	College Township Centre County	NCRO
PAD150331	Chapter 102 Individual NPDES Permit	Issued	Leibowitz Fred 1937 Swedesford Road Malvern, PA 19355-8733	Tredyffrin Township Chester County	SERO
PAD250011	Chapter 102 Individual NPDES Permit	Issued	Fitch YMCA 12600 Abels Road North Springfield, PA 16430-1014	Springfield Township Erie County	NWRO
PAD350041	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 4-0 55 Keystone Park Scranton, PA 18512	Elmhurst Township Lackawanna County	NERO
PAD360114	Chapter 102 Individual NPDES Permit	Issued	Leonard M Brubacher 582 Lambert Road Narvon, PA 17555-9778	Caernarvon Township Lancaster County	SCRO
PAD390133	Chapter 102 Individual NPDES Permit	Issued	Lehigh County 17 S 7th Street Allentown, PA 18101-2401	South Whitehall Township Lehigh County	NERO
PAD390296	Chapter 102 Individual NPDES Permit	Issued	Parkland School District 1210 Springhouse Road Allentown, PA 18104-2119	Upper Macungie Township Lehigh County	NERO
PAD400069	Chapter 102 Individual NPDES Permit	Issued	Anthracite Scenic Trails Association P.O. Box 212 Dallas, PA 18612-0212	Fairview Township Luzerne County	NERO
PAD400081	Chapter 102 Individual NPDES Permit	Issued	Deangelo Paul 120 Coxe Street Hazleton, PA 18201-7512	Hazleton City Luzerne County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD450196	Chapter 102 Individual NPDES Permit	Issued	Hollick Lucas G 525 Mace Street Greensburg, PA 15601-4009	Stroud Township Monroe County	NERO
PAD480179	Chapter 102 Individual NPDES Permit	Issued	UGI Utilities Inc. 1 UGI Drive Denver, PA 17517-9039	Bethlehem City Northampton County	NERO
PAD480212	Chapter 102 Individual NPDES Permit	Issued	Bethlehem City Northampton County 10 East Church Street Bethlehem, PA 18018	Bethlehem City Northampton County	NERO
PAD520022	Chapter 102 Individual NPDES Permit	Issued	Raymondskill Properties LLC 550 N Larchmont Boulevard Los Angeles, CA 90004-1318	Dingman Township Pike County	NERO
PAD670105	Chapter 102 Individual NPDES Permit	Issued	Windsor Township York County 1480 Windsor Road Red Lion, PA 17356-9583	Windsor Township York County	SCRO
PA0232874	Industrial Stormwater Individual NPDES Permit	Issued	American Rock Salt Co. LLC P.O. Box 190 Mount Morris, NY 14510-0190	Sandy Township Clearfield County	NCRO
PA0245038	Industrial Stormwater Individual NPDES Permit	Issued	GMA Garnet (USA) Corp 1780 Hughes Landing Suite 725 The Woodlands, TX 77380-1684	Falls Township Bucks County	SERO
PA0245356	Industrial Stormwater Individual NPDES Permit	Issued	The International Paper Co. 4581 Lower Valley Road Atglen, PA 19310-1766	West Sadsbury Township Chester County	SERO
1024806	Joint DEP/PFBC Pesticides Permit	Issued	Middlesex Crossings HOA 2005 Ringold Court Valencia, PA 16059-1120	Middlesex Township Butler County	NWRO
1520812	Joint DEP/PFBC Pesticides Permit	Issued	Brook Crossing HOA 199 Crossing Boulevard East Fallowfield, PA 19320-4345	East Fallowfield Township Chester County	SERO
2224804	Joint DEP/PFBC Pesticides Permit	Issued	Rossmoyne LP 5351B Jaycee Avenue Harrisburg, PA 17112-2938	Lower Paxton Township Dauphin County	SCRO
2524805	Joint DEP/PFBC Pesticides Permit	Issued	National Lime & Stone Co. 1331 Broad Avenue Findlay, OH 45840-2654	Erie City Erie County	NWRO
3624802	Joint DEP/PFBC Pesticides Permit	Issued	Ephrata Borough Lancaster County 124 S State Street Ephrata, PA 17522-2411	Ephrata Borough Lancaster County	SCRO
3724807	Joint DEP/PFBC Pesticides Permit	Issued	Janet Carbone 7421 Old Route 422 Portersville, PA 16051-5605	Slippery Rock Township Lawrence County	NWRO
4621821	Joint DEP/PFBC Pesticides Permit	Issued	Rubin Michael 600 Great Springs Road Bryn Mawr, PA 19010-1702	Lower Merion Township Montgomery County	SERO
5924801	Joint DEP/PFBC Pesticides Permit	Issued	US ACOE Baltimore District 710 Ives Run Lane Tioga, PA 16946-8643	Tioga Township Tioga County	NCRO
5924802	Joint DEP/PFBC Pesticides Permit	Issued	US ACOE Baltimore District 710 Ives Run Lane Tioga, PA 16946-8643	Mansfield Borough Tioga County	NCRO
5924803	Joint DEP/PFBC Pesticides Permit	Issued	US ACOE Baltimore District 710 Ives Run Lane Tioga, PA 16946-8643	Lawrence Township Tioga County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1501417	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Nantmeal Warwick Sewer Co. Inc. 26 E Main Street Elverson, PA 19520	Warwick Township Chester County	SERO
3624402	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Panattoni Development Co. Inc. 6059 Allentown Boulevard Suite 127 Harrisburg, PA 17112	East Hempfield Township Lancaster County	SCRO
PAI130002	MS4 Individual NPDES Permit	Waived	Salford Township Montgomery County P.O. Box 54 139 Ridge Road Tylersport, PA 18971-0054	Salford Township Montgomery County	SERO
PAI130026	MS4 Individual NPDES Permit	Issued	Borough of West Chester 401 E Gay Street West Chester, PA 19380-2729	West Chester Borough Chester County	SERO
PAI130078	MS4 Individual NPDES Permit	Issued	Pocopson Township Chester County P.O. Box 1 Pocopson, PA 19366-0001	Pocopson Township Chester County	SERO
PAI133547	MS4 Individual NPDES Permit	Issued	Lititz Borough Lancaster County 315 Clay Road Lititz, PA 17543-9019	Lititz Borough Lancaster County	SCRO
PAI133547	MS4 Individual NPDES Permit	Issued	Warwick Township Lancaster County 315 Clay Road Lititz, PA 17543-9019	Warwick Township Lancaster County	SCRO
PA0004979	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Neville Chemicals Co. 2800 Neville Road Pittsburgh, PA 15225-1496	Neville Township Allegheny County	SWRO
PA0046680	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Republic Service of PA LLC 4400 Mount Pisgah Road York, PA 17406-8240	Lower Windsor Township York County	SCRO
PA0265781	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Slippery Rock Municipal Authority 116 Crestview Drive Slippery Rock, PA 16057-0157	Slippery Rock Township Butler County	NWRO
PA0114324	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Demorgan Acres LLC 1104 Dunbar Road Troy, PA 16947-8314	Canton Township Bradford County	NCRO
PA0232971	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Franklin Township Lycoming County P.O. Box 85 Lairdsville, PA 17742-0085	Franklin Township Lycoming County	NCRO
PA0025488	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Avondale Borough Chester County P.O. Box 247 110 Pomeroy Avenue Avondale, PA 19311-0247	Avondale Borough Chester County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1524402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Radley Run Mews Sewer Assoc P.O. Box 84 Pocopson, PA 19366-0084	Birmingham Township Chester County	SERO
4424403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Bratton Township Mifflin County 133 Mountain Lane McVeytown, PA 17051-8429	Bratton Township Mifflin County	SCRO
PAG032292	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	EFS Inc. Ed Spencer Auto Parts 350 Salem Boulevard Berwick, PA 18603-6462	Salem Township Luzerne County	NERO
PAG033525	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	WPTM LLC 14648 Glen Eden Drive Naples, FL 34110-3666	Salisbury Township Lancaster County	SCRO
PAG033597	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Edsal Sandusky Corp 80 Keystone Street Littlestown, PA 17340-1664	Littlestown Borough Adams County	SCRO
PAG033877	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JLG Ind Inc. 1 JLG Drive McConnellsburg, PA 17233	Antrim Township Franklin County	SCRO
PAG033908	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Morgan Truck Body LLC d/b/a Morgan Corp P.O. Box 588 Morgantown, PA 19543-0588	Caernarvon Township Berks County	SCRO
PAG033946	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	North Metal & Chemicals Co. 609 E King Street York, PA 17403-1721	York City York County	SCRO
PAG034036	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Frito-Lay Inc. 3553 Gillespie Drive York, PA 17404-5803	West Manchester Township York County	SCRO
PAG034940	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rolling Frito Lay Sales LP 23 Beethoven Street Binghamton, NY 13905-4250	DuBois City Clearfield County	NCRO
PAG034967	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	A & L Wood Inc. 2220 Paradise Church Road Mount Pleasant Mills, PA 17853-8277	Perry Township Snyder County	NCRO
PAG036176	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BPI Inc. 612 S Trenton Avenue Pittsburgh, PA 15221-3475	Gilpin Township Armstrong County	NWRO
PAG036270	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	E J Bognar Inc. 733 Washington Road Pittsburgh, PA 15228-2022	Big Beaver Borough Beaver County	SWRO
PAG036279	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Brenntag Northeast LLC 1085 Allegheny Avenue Oakmont, PA 15139-1964	Oakmont Borough Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG041162	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Christopher and Dawn Karns 10747 Route 19 N Waterford, PA 16441-5103	Waterford Township Erie County	NWRO
PAG041302	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Rodgers Stephen R 396 Pulaski Road Pulaski, PA 16143	Shenango Township Mercer County	NWRO
PAG041307	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Passinger Mitchell 3390 Egypt Hollow Road Russell, PA 16345-4528	Pine Grove Township Warren County	NWRO
PAG041329	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Diane and Jacob Blarr 1041 Lake Street Girard, PA 16417-1013	Conneaut Township Erie County	NWRO
PAG041362	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
PAG048457	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Woods Brad 3212 Cobham Park Road Warren, PA 16365-8314	Glade Township Warren County	NWRO
PAG066107	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Stowe Township Allegheny County 555 Broadway Avenue McKees Rocks, PA 15136	Stowe Township Allegheny County	SWRO
PAG066120	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	East Pittsburgh Borough Allegheny County 813 E Pittsburgh Mall East Pittsburgh, PA 15112-1207	East Pittsburgh Borough Allegheny County	SWRO
PAG123539	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Eldwin 12950 Forge Road Mercersburg, PA 17236-9415	Warren Township Franklin County	SCRO
PAG123652	PAG-12 NPDES General Permit for CAFOs	Issued	Stump Dean 48 Rehrersburg Road Richland, PA 17087	Tulpehocken Township Berks County	SCRO
PAG123703	PAG-12 NPDES General Permit for CAFOs	Issued	Stone Chimney Farms LLC 3449 Delta Road Airville, PA 17302-9331	Lower Chanceford Township York County	SCRO
PAG124805	PAG-12 NPDES General Permit for CAFOs	Issued	Groffs Pork and Beans LLC 314 Lamplight Lane Lewisburg, PA 17837-9010	Kelly Township Union County	SCRO
PAG124809	PAG-12 NPDES General Permit for CAFOs	Issued	Hite Brock N 612 Viall Hill Road Towanda, PA 18848	Terry Township Bradford County	SCRO
PAG124821	PAG-12 NPDES General Permit for CAFOs	Issued	Just A Mere Family Farm LLC 3746 Mahantango Creek Road Dalmatia, PA 17017-7235	Lower Mahanoy Township Northumberland County	SCRO
6301408	Pump Stations Individual WQM Permit	Issued	Donegal Township Washington County P.O. Box 310 34 N Liberty Street West Alexander, PA 15376-0310	Donegal Township Washington County	SWRO
6521403	Sewer Extensions Individual WQM Permit	Issued	Delmont Borough Westmoreland County 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0113123	Single Residence STP Individual NPDES Permit	Issued	Sound Bite Shores LLC 809 Deer Woods Road Kissimmee, FL 34747-4261	Laporte Township Sullivan County	NCRO
PA0238791	Single Residence STP Individual NPDES Permit	Issued	Gardner Rae Kent 4926 Follett Run Road Warren, PA 16365-8559	Conewango Township Warren County	NWRO
PA0264032	Single Residence STP Individual NPDES Permit	Issued	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
PA0264644	Single Residence STP Individual NPDES Permit	Issued	Abbey Libby 2867 Cobham Park Road Warren, PA 16365-8310	Glade Township Warren County	NWRO
PA0272051	Single Residence STP Individual NPDES Permit	Issued	Sunday Lauren 123 Old Route 68 Evans City, PA 16033-7613	Forward Township Butler County	NWRO
PA0272655	Single Residence STP Individual NPDES Permit	Issued	Rock Amber 1210 Sunset Drive Butler, PA 16001-0782	Center Township Butler County	NWRO
PA0285307	Single Residence STP Individual NPDES Permit	Issued	Sines Lori L 1300 Buckstown Road Stoystown, PA 15563-8811	Stonycreek Township Somerset County	SWRO
PA0290165	Single Residence STP Individual NPDES Permit	Issued	Geibel Timothy 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO
PA0295752	Single Residence STP Individual NPDES Permit	Issued	Byers Aaron 5731 Meehl Road North East, PA 16428-4944	North East Township Erie County	NWRO
1019402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sunday Lauren 123 Old Route 68 Evans City, PA 16033-7613	Forward Township Butler County	NWRO
2515405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
2521434	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Geibel Timothy 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO
2524403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Byers Aaron 5731 Meehl Road North East, PA 16428-4944	North East Township Erie County	NWRO
5786401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sound Bite Shores LLC 809 Deer Woods Road Kissimmee, FL 34747-4261	Laporte Township Sullivan County	NCRO
6297406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Woods Brad 3212 Cobham Park Road Warren, PA 16365-8314	Glade Township Warren County	NWRO
PA0285242	Small Flow Treatment Facility Individual NPDES Permit	Issued	Swanson Donald L Jr 218 Vic Miller Road Strongstown, PA 15957-3421	Blacklick Township Cambria County	SWRO
PA0295507	Small Flow Treatment Facility Individual NPDES Permit	Issued	Renick Bros Const Co. 434 Grove City Road P.O. Box 94 Slippery Rock, PA 16057-2524	Slippery Rock Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1023419	Small Flow Treatment Facility Individual WQM Permit	Issued	Renick Bros Const Co. 434 Grove City Road P.O. Box 94 Slippery Rock, PA 16057-2524	Slippery Rock Township Butler County	NWRO
1123402	Small Flow Treatment Facility Individual WQM Permit	Issued	Swanson Donald L Jr 218 Vic Miller Road Strongstown, PA 15957-3421	Blacklick Township Cambria County	SWRO
2504401	Small Flow Treatment Facility Individual WQM Permit	Issued	Christopher and Dawn Karns 10747 Route 19 N Waterford, PA 16441-5103	Waterford Township Erie County	NWRO
WQG01432403	WQG-01 WQM General Permit	Issued	Rodgers Stephen R 396 Pulaski Road Pulaski, PA 16143	Shenango Township Mercer County	NWRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400321	PAG-02 General Permit	Issued	Eagle Rock Community Association Jim Sebia 1 Country Club Drive Hazle Township, PA 18202	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC010266	PAG-02 General Permit	Issued	Pella Corporation 102 Main Street Pella, IA 50219-2198	Straban Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC130027	PAG-02 General Permit	Issued	Cedar Realty Investments, LLC c/o George Atiyeh 1102 Fullerton Avenue Allentown, PA 18102	Franklin Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehighton, PA 18235 610-377-4894 RA-EPWW-NERO@pa.gov
PAC400082	PAG-02 General Permit	Issued	County Line River & Land Company, LLC Charles Medico P.O. Box 1004 Wilkes-Barre, PA 18702-0004	Duryea Borough Old Forge Borough Luzerne County Lackawanna County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC560028	PAG-02 General Permit	Issued	Mayak Family Trust 5079 Lincoln Highway Stoystown, PA 15563	Quemahoning Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC310034	PAG-02 General Permit	Issued	Stuckey Automotive Huntingdon RE, LLC 899 Plank Road Duncansville, PA 16635	Smithfield Township Huntingdon County	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652 814-627-1626

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360769 A-1	PAG-02 General Permit	Issued	Pleasant View Retirement Communities 544 North Penryn Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360953 A-1	PAG-02 General Permit	Issued	Weston Shertzler 105 Garrity Road Millersville, PA 17551	Manor Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC350069	PAG-02 General Permit	Issued	Blackford Development, Ltd 120 N. Pointe Blvd. # 300 Lancaster, PA 17601	Jessup Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350030	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Co. P.O. Box 431 222 Mulberry Street Scranton, PA 18501	Jessup Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC430116	PAG-02 General Permit	Issued	PTV 1352 LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235	Otter Creek Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430110	PAG-02 General Permit	Issued	Aqua Pennsylvania Inc. 762 Lancaster Avenue Bryn Mawr, PA 19010	City of Sharon Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430119	PAG-02 General Permit	Issued	Sharon City School District 215 Forker Boulevard Sharon, PA 16146	City of Sharon Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430084A1	PAG-02 General Permit	Issued	Sharon Tube Company 100 Martin Luther King Boulevard Farrell, PA 16121	City of Farrell Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC560088	PAG-02 General Permit	Issued	Municipal Authority of the Borough of Somerset 347 West Union Street Somerset, PA 15501	Somerset Borough Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560086A-1	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 3115 Elton Road Johnstown, PA 15904	Lincoln Township and Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560089	PAG-02 General Permit	Issued	Municipal Authority of the Borough of Somerset 347 West Union Street Somerset, PA 15501	Somerset Borough and Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560090	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 3115 Elton Road Johnstown, PA 15904	Somerset Borough Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC110120	PAG-02 General Permit	Issued	Saint Francis University 111 Juniper Lane Loretto, PA 15940	Loretto Borough Allegheny Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 SWRO

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at 717-787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Wenridge Farm LLC Merle Wenger 120 Leiby Road Hamburg, PA 19526	Berks County	11	270.34	Chicken Layers Sheep Cattle	NA	Approved

<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>
Dean Stump 48 Rehrersburg Road Richland, PA 17087	Berks County	16.8	408.42	Poultry Heifers Pigs	NA	Approved
Rich Lindell, Lindell Farms LLC 52087 State Highway Russell, PA 16345	Warren County	1,813.8	1,154.47	Lactating Dairy Cows Freshening Dairy Cows Dry Dairy Cows Springing Heifers Weaned Calves	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

SAFE DRINKING WATER

Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.

Construction Permit No. 1724502, Major Amendment, Public Water Supply.

Applicant	Westover Municipal Authority
Address	143 Tannery Road P.O. Box 199 Westover, PA 16692
Municipality	Chest Township
County	Clearfield County
Consulting Engineer	Anthony J Coval 466 South Main Street Montrose, PA 18801
Application Received	March 28, 2024
Permit Issued	May 30, 2024
Description	This permit authorizes development of an additional source of supply, known as Filter Plant Well No. 1 (Test Well No. 2). Associated new treatment facilities will include packed tower aeration for VOC removal and oxidation/sedimentation for iron and manganese removal, followed by treatment via the existing filtration plant.

Construction Permit No. 1424507MA, Minor Amendment, Public Water Supply.

Applicant	Benner Township Water Authority—Grove Park Water System
Address	170 Irish Hollow Road Bellefonte, PA 16823
Municipality	Benner Township
County	Centre County
Consulting Engineer	Brian D Shura 1731 North Juniata Street Hollidaysburg, PA 16648
Application Received	March 14, 2024
Permit Issued	May 30, 2024

Description This permit authorizes installation of Xylem-Goulds Model 5SV7GF4F60N duplex booster pumps (44 gpm at 150 TDH), Eaton PowerXL DG1 variable frequency drives (VFDs), and radio telemetry system incorporated with the existing Spring Benner Walker Joint Authority (SBWJA) SCADA alarm system.

Construction Permit No. 4924504MA, Minor Amendment, Public Water Supply.

Applicant **Pa American Water Co.—Milton District**

Address 852 Wesley Drive
Mechanicsburg, PA 17055

Municipality Milton Borough

County **Northumberland County**

Consulting Engineer Eric Keller
852 Wesley Drive
Mechanicsburg, PA 17055

Application Received April 17, 2024

Permit Issued May 31, 2024

Description This permit authorizes replacement of one vertical turbine raw water pump at the Milton Filtration Plant.

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

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

Construction Permit No. 5423506, Major Amendment, Public Water Supply.

Applicant **Tamaqua Area School District**

Address 138 West Broad Street
Tamaqua, PA 18252

Municipality West Penn Township

County **Schuylkill County**

Consulting Engineer Timothy A. Miller, P.E.
Keystone Consulting Engineers, Inc.
5012 Medical Center Circle
Allentown, PA 18106

Application Received September 12, 2023

Permit Issued March 4, 2024

Description Addition of corrosion control treatment for lead and copper abatement.

Operation Permit No. 3480053, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Address 852 Wesley Drive
Mechanicsburg, PA 17055

Municipality Lower Mount Bethel Township

County **Northampton County**

Consulting Engineer Richard C. Dudek, P.E.
Pennsylvania American Water Company
2699 Stafford Ave.
Scranton, PA 18505

Application Received February 16, 2024

Permit Issued May 15, 2024

Description Berry Hollow Well No. 2 reserve designation.

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

Contact: Joseph Mattucci, Program Manager, 717-705-4931.

Construction Permit No. 3623552, Major Amendment, Public Water Supply.

Applicant **Quarryville Borough Authority**

Address 300 Saint Catherine Street
Quarryville, PA 17566

Municipality East Drumore Township

County **Lancaster County**

Consulting Engineer Jenna Bishop, P.E.
108 West Airport Road
Lititz, PA 17543

Application Received February 7, 2024

Permit Issued May 29, 2024

Description This permit approves the construction of modifications within the pump station at Quarryville Borough Authority. The overall project consists of a pump station retrofit and a standpipe rehabilitation that proposes the following modifications: (1) a new booster pump, (2) a new water meter, (3) a replacement chemical feed pump, (4) piping reconfiguration, and (5) rehabilitation repairs to the 1.0 MG finished water standpipe tank.

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-A4. PWSID No. **4410173**. **Williamsport Municipal Water Authority**, 253 West Fourth Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: April 15, 2024. Permit Issued: May 30, 2024. This permit amendment authorizes flow-weighted CFE turbidity calculations and incorporates revisions to the 1-Log Giardia Inactivation Table into the special conditions.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Designation of Water Quality Performance Requirements Permit 3060347. PWSID No. **3060347**.

Governor Mifflin School District, 10 S. Waverly St, Shillington, PA 19607, Brecknock Township, **Berks County**. Application received: January 22, 2024. Permit Issued: May 29, 2024. A comprehensive operation permit designating optimal water quality parameters and requiring the physical disconnection of a nitrate treatment system which is no longer permitted.

Operation Permit 7500875. PWSID No. **7500875**. **Dolgencorp, LLC**, 100 Mission Ridge, Goodlettsville, TN 37072, Penn Township, **Perry County**. Application received: May 16, 2024. Permit Issued: May 29, 2024. This action authorizes operation of a nitrate treatment unit at Dollar General Duncannon.

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

Construction/Operation Permit 3824505 MA. PWSID No. **7380007**. **Borough of Cornwall**, 44 Rexmont Road, Lebanon, PA 17042, Cornwall Borough, **Lebanon County**. Application received: April 30, 2024. Permit Issued: June 3, 2024. Repainting of the Miners Village Tank No. 1.

Construction/Operation Permit 0124513 MA. PWSID No. **7010032**. **Franklin Township Municipal Authority**, P.O. Box 4, Cashtown, PA 17310, Franklin Township, **Adams County**. Application received: April 25, 2024. Permit Issued: June 3, 2024. Replacement of chlorine chemical; feed pumps at Entry Point Nos. 101 and 102.

Construction/Operation Permit 3824504 MA. PWSID No. **7380010**. **City of Lebanon Authority**, 2311 Ridgeview Road, Lebanon, PA 17042, Swatara Township, **Lebanon County**. Application received: April 8, 2024. Permit Issued: May 29, 2024. Repainting of the Washwater Tank.

Operation Permit 7380051. PWSID No. **7380051**. **Zook Rentals, LLC**, 120 Horst Road, Myerstown, PA 17067, East Hanover Township, **Lebanon County**. Application received: April 3, 2024. Permit Issued: June 4, 2024. Reduction in pH sampling frequency at O'Yes Apartments.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Construction Permit 5024505 MA. PWSID No. **7500019**. **Duncannon Borough**, 428 North High Street, Duncannon Borough, PA 17020, Duncannon Borough, **Perry County**. Application received: April 15, 2024. Permit Issued: May 30, 2024. Construction permit for an after-the-fact Well No. 4 pump replacement and a proposed sodium hypochlorite chemical feed pump replacement.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Construction/Operation Permit 0224524. PWSID No. **5020078**. **Findlay Township Municipal Authority**, P.O. Box 409, Clinton, PA 15026, Moon Township, **Allegheny County**. Application received: April 12, 2024. Permit Issued: May 30, 2024. Use of Pennsylvania American Water Company as a new source (PA American Interconnect)

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.

Amcor Well Site, Primary Facility ID # **854241**, 139 Smurkowski Road, Meshoppen, PA 18630, Meshoppen Township, **Wyoming County**. 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 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.

Philadelphia Union Sports Complex, Primary Facility ID # **861634**, 2501 Seaport Drive (between Highland Avenue and Commodore Barry Bridge), Chester, PA 19013, City of Chester Philadelphia, **Chester County**. Nevin Diehl, Weston Solutions Inc., 205 Campus Drive, Edison, NJ 08837, on behalf of Dave Debusschere, Keystone Sports and Entertainment LLC, 2501 Seaport Drive, BH, Suite 100, Chester, PA 19013, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline, lead, other organics, PAHs and PCBs. The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

157 East Seven Stars Road, Primary Facility ID # **863096**, 157 East Seven Stars Road, Phoenixville, PA 19460, East Pikeland Township, **Chester County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Harlan Gustafson, Estate of Joyce E. Steimer, Deceased, 114 Airport Road, Pottstown, PA 19464, submitted a Final Report concerning remediation of soil contaminated with naphthalene. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Former West Hills Par 3, Primary Facility ID # **862888**, 571 Moon Clinton Road, Coraopolis, PA 15108, Moon Township, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Airfield Gates Limited Partnership, 5701 Lonetree Boulevard, Suite 311, Rocklin, CA 95765, submitted a Final Report concerning remediation of soil contaminated with arsenic. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Gibsonia Commons, Primary Facility ID # **873871**, 5317 William Flynn Highway, Gibsonia, PA 15044, Richland Township, **Allegheny County**. ECS Mid-Atlantic, LLC, 100 East Kensing Drive, Suite 300, Cranberry Township, PA 16066, on behalf of GRHH CSOK LLC, 6263 North Scottsdale Road, Suite 142, Phoenix, AZ 85250, submitted a Final Report concerning remediation of soil and groundwater contaminated with 1,2,4-trimethylbenzene for soil; benzene, 1,2-dichloroethane, naphthalene, 1,1,2-trichloroethane, and 1,2,4-trimethylbenzene for groundwater. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

EQT Polecat Well Pad, Primary Facility ID # **874408**, 122 Polecat Hollow Road, Waynesburg, PA 15317, Whiteley Township, **Greene County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry, PA 16066, on behalf of EQT Corporation, 400 Woodcliff Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with chloride, aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

GE Power & Water, Primary Facility ID # **772272**, 4930 Buttermilk Hollow Road, West Mifflin, PA 15122,

West Mifflin Borough, **Allegheny County**. Arcadis U.S., Inc., 19 West College Avenue, Suite 250, Yardley, PA 19067, on behalf of General Electric Co, 4930 Buttermilk Hollow Road, West Mifflin, PA 15122, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with PCBs, 1,1-DCE, 1,2,4-TCB, 1,4-DCB, benzene, cis-1,2-DCE, ethylbenzene, methylene chloride, PCE, toluene, TCE, hexachlorobenzene, arsenic and manganese for soil; PCBs, benzene, PCE, TCE, and VC, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, chrysene, arsenic, lead, manganese, and vanadium for groundwater. The Cleanup Plan is intended to document remediation of the site to meet the Statewide health and site-specific standards.

39th & Foster Street Property, Primary Facility ID # **860332**, 32 39th & 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 Remedial Investigation Report/Cleanup Plan 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.

100 Benedict Street, Primary Facility ID # **832085**, 100 Benedict Street, Pittston, PA 18640, City of Pittston, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of City of Pittston, 35 Broad Street, Pittston, PA 18640, submitted a Final Report concerning remediation of soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds, and metals. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: May 29, 2024.

21 Ridge Street, Primary Facility ID # **873420**, 21 Ridge Street, Dallas, PA 18612, Dallas Township, **Luzerne County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Karen Nyland, 21 Ridge Street, Dallas, PA 18612, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 29, 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.

Former Hanover Manufactured Gas Plant, Primary Facility ID # **773478**, 305 North Franklin Street, Hanover, PA 17331, Hanover Borough, **York County**. GEI Consultants, Inc., 100 Campbell Blvd., Suite 103, Exton, PA 19341, on behalf of NiSource/Columbia Gas of PA, 121 Champion Way, Canonsburg, PA 15317, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs, SVOCs and Metals. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: May 29, 2024.

Gift Oil—Tanker Spill, Primary Facility ID # **857603**, 6867 Boyertown Pike and 1827 Old Swede Road, Douglassville, PA 19518, Amity Township, **Berks County**. Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite 1A, West Chester, PA 19382, on behalf of

Penn Petroleum, Inc., 2314 Farmington Avenue, Boyertown, PA 19512, submitted a Final Report concerning remediation of soil and groundwater contaminated with Diesel Fuel. The Final Report demonstrated attainment of the Statewide health standards. Approved: June 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.

Phoenix French Creek Manor, Primary Facility ID # **804650**, North Main Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Paul White, ARM Brickhouse, 515 South Franklin Street, West Chester, PA 19382, on behalf of Greg Lingo, Rockwell French Creek TH LP, 126 East State Street, Media, PA 19063, submitted a Final Report concerning remediation of soil contaminated with arsenic, chromium (VI), cobalt, iron, lead, aluminum, antimony, barium, beryllium, cadmium, chromium (III), copper, nickel, silver, thallium, vanadium, zinc, acenaphthene, acenaphthylene, acetophenone, anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, carbazole, chrysene, dibenz(a,h)anthracene, di-n-butylphthalate, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, phenanthrene, phenol, and pyrene. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: May 29, 2024.

5904-08 Germantown Avenue, Primary Facility ID # **868202**, 5904-08 Germantown Avenue, 15 West Rittenhouse Street, 5900-02 Germantown Avenue and 11 West Rittenhouse Street, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Douglas Schott, PG, ARM Brickhouse, 515 South Franklin Street, West Chester, PA 19382, on behalf of Mayer Miltz, 5904-08 Germantown Avenue, LLC, 417 Cherry Hill Boulevard, Cherry, NJ 08002, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of groundwater contaminated with dry-cleaning solvents. The Report demonstrated attainment of the site-specific standards. Approved: May 30, 2024.

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

Eco-Energy Distribution Philadelphia, LLC, Primary Facility ID # **777122**, 4099 Columbus Boulevard, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Jamey Stynchula, PG, GEI Consultants, 18000 Horizon Way, Suite 200, Mount Laurel, NJ 08054, on behalf of Chadwick Conn, Eco-Energy Distribution Philadelphia7, 6100 Tower Circle, Suite 500, Franklin, TN 37067, submitted a Risk Assessment/Final Report concerning remediation of soil contaminated with arsenic, thallium, benzene, cumene, ethylbenzene, MTBE, naphthalene, n-hexane, toluene, 1,2,4-TMB, 1,3,5-TMB, and xylenes. The Final Report demonstrated attainment of the site-specific standards. Approved: May 30, 2024.

200 West State Street, Primary Facility ID # **853178**, 200 West State Street, Doylestown, PA 18901, Doylestown Borough, **Bucks County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142, on behalf of Larry Thomson, Kola, LLC, 16 North Franklin Street, Suite 111, Doylestown, PA 18901, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, 1,2,4-trimethylbenzene (TMB) and 1,3,5-TMB. The Final

Report demonstrated attainment of the site-specific standards. Approved: May 30, 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 Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, isopropyl benzene, methyl tertiary butyl ether (MTBE), 1,2,4-trimethylbenzene (TMB) and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: May 22, 2024.

114 Forrest Avenue, Primary Facility ID # **844211**, 114 Forrest Avenue, Narberth, PA 19072, **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 Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, isopropyl benzene, methyl tertiary butyl ether (MTBE), 1,2,4-trimethylbenzene (TMB) and 1,3,5-TMB. The Final Report demonstrated attainment of the site-specific standards. Approved: May 22, 2024.

211 Hilltop Road, Primary Facility ID # **871891**, 211 Hilltop Road, Plymouth Meeting, PA 19462, Plymouth Meeting, **Montgomery County**. Alexander Ostrobrod, Union Technical Group, P.O. Box 8123, Pelham, NY 10803, on behalf of Wanswin Susan Kosak, 211 Hilltop Road, Plymouth Meeting, PA 19462, submitted a Final Report concerning remediation of soil contaminated with heating oil parameters (1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, ethylbenzene, isopropyl benzene, MTBE, naphthalene, and toluene). The Final Report demonstrated attainment of the Statewide health standards. Approved: May 22, 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.

CHS Locust Street Medical Building, Primary Facility ID # **806696**, 315 Locust Street, Johnstown, PA 15901, City of Johnstown, **Cambria County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of 1889-CHS Foundation, Inc., 4 Valley Pike, Johnstown, PA 15905, submitted a Final Report concerning remediation of soil and groundwater contaminated with tetrachloroethene. The Final Report did not demonstrate attainment of the background standards. Issued a technical deficiency letter: May 21, 2024.

EQT Polecat Well Pad, Primary Facility ID # **874408**, 122 Polecat Hollow Road, Waynesburg, PA 15370, Whiteley Township, **Greene County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry, PA 16066, on behalf of EQT Corporation, 400 Woodcliff Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, sele-

nium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 21, 2024.

Philips Respironics, Primary Facility ID # **869535**, 1740 Golden Mile Highway, Monroeville, PA 15146, Monroeville Borough, **Allegheny County**. Haley & Aldrich, Inc., 6500 Rockside Road, Suite 200, Cleveland, OH 44131, on behalf of Philips North America LLC, 15313 West 95th Street, Lenexa, KS 66219, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with trichloroethene, cis-1,2-dichloroethene and vinyl chloride. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: May 28, 2024.

HAZARDOUS WASTE TRANSPORTER LICENSE

Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

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.

AWT Environmental Services, Inc., 32 Birch Street, Old Bridge, NJ 08857. **License No. PA-AH 0871**. Application received: April 29, 2024. Effective May 22, 2024.

Midwest Sanitary Service, Inc., P.O. Box 83, Wood River, IL 62095. **License No. PA-AH 0872**. Application received: April 4, 2024. Effective May 22, 2024.

Sustain, LLC, 4547 Bentwood Road, New Waterford, OH 44445. **License No. PA-AH 0919**. Application received: May 22, 2024. Effective May 22, 2024.

Page ETC, Inc., 2758 Trombley Road, Weedsport, NY 13166. **License No. PA-AH 0338**. Application received: May 6, 2024. Effective May 28, 2024.

IWT Transport, Inc., 5 Fir Court, Oakland, NJ 07346. **License No. PA-AH 0798**. Application received: April 22, 2024. Effective May 28, 2024.

Tri-County Industries, Inc., 159 TCI Park Drive, Grove City, PA 16127. **License No. PA-AH 0820**. Application received: May 20, 2024. Effective May 28, 2024.

Brook Ledge, Inc., P.O. Box 56, Oley, PA 19547. **License No. PA-AH 0855**. Application received: April 29, 2024. Effective May 28, 2024.

M.R. Dirt, Inc., 21186 RTE 187, Towanda, PA 18848. **License No. PA-AH 0899**. Application received: April 22, 2024. Effective May 28, 2024.

JRP Waste Oil Services, Inc., P.O. Box 570, Oxford, PA 19363. **License No. PA-AH 0926**. Application received: May 6, 2024. Effective May 28, 2024.

Radiac Research Corp., 261 Kent Avenue, Brooklyn, NY 11249. **License No. PA-AH S007**. Application received: May 8, 2024. Effective May 28, 2024.

Transporter License Voluntarily Terminated

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

Contact: Jonathan Adams.

Grid Logistics, LLC, 78 John Miller Way, Kearny, NJ 07032. **License No. PA-AH 0843**. Application received: May 15, 2024. Effective May 15, 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.

Environmental Waste Minimization, Inc., 14 Brick Kiln Ct, Northampton, PA 18067. **License No. PA-HC 0219**. Received on April 11, 2024. Effective May 22, 2024.

RESIDUAL WASTE GENERAL PERMITS

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); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7381.

Contact: Jason Dunham, Environmental Group Manager.

WMGR159SC001. Commonwealth of Pennsylvania's Department of Corrections, 2500 Lisburn Road, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**. This general permit authorizes the processing of reclaimed waste coal ash prior to beneficial use and subsequent beneficial use as an ingredient in concrete manufacturing, including the formulation of concrete products. Processing is limited to drying and mechanical sizing of reclaimed waste coal ash. The proposed modifications to General Permit WMR159 have been successfully demonstrated and the base general permit has been modified to add "manufacturing of concrete products" as a new authorized beneficial use of coal ash. Application received: June 9, 2021. Permit modification issued: June 3, 2024.

Persons interested in reviewing the permit may contact Jason Dunham, Environmental Group Manager, 717-787-7381, Central Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7381. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**DETERMINATION OF APPLICABILITY FOR
RESIDUAL WASTE GENERAL PERMITS**

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); 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.

WMGR159SC001. PA Department of Corrections, SCI-Camp Hill, 2500 Lisburn Road, Camp Hill, PA 17001, Lower Allen Township, **Cumberland County**. This general permit authorizes the processing, by drying and mechanical sizing, of reclaimed waste coal ash prior to beneficial use and beneficial use of reclaimed waste coal ash as an ingredient in concrete manufacturing, including the formulation of concrete products. Application received: June 9, 2021. Permit issued: June 3, 2024.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, Waste Management Program, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITS@pa.gov.

WMGR081SE019 (Formerly WMGR081D002A). Abington Reldan Metals, LLC, (d/b/a Reldan), 550 Old Bordentown Road, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This approval is for the renewal of Determination of Applicability to continue the coverage under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at the Abington Reldan Metals, LLC—NorthPoint Development facility, located at 550 Old Bordentown Road, Fairless Hills, PA in Falls Township, Bucks County. Application received: October 20, 2023. Renewal of coverage issued: May 30, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR081SE018 (Formerly WMGR081D024). ECOvanta, LLC, 2209 South 58th Street, Philadelphia, PA 19143, City of Philadelphia, **Philadelphia County**. This approval is for the renewal of Determination of Applicability to continue the coverage under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at the Covanta

4Recovery Philadelphia, LLC, 58th Street Transfer Station facility, located at 2209 South 58th Street in the City and County of Philadelphia. Application received: October 20, 2023. Renewal of coverage issued: May 30, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@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.

WMGR081SE014 (Formerly WMGR081D020). eForce Compliance, LLC, 1229 South Napa Street, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. This approval is for the renewal of Determination of Applicability to continue the coverage under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at eForce Compliance facility, located at 1229 South Napa Street in the City and County of Philadelphia. Application received: December 19, 2023. Renewal of coverage issued: May 30, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@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.

WMGR081SE016 (Formerly WMGR081D008). Elemental, Inc., 2371 Church Street, Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. This approval is for the renewal of Determination of Applicability to continue the coverage under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at Elemental, Inc. facility, located at 2371 Church Street, in the City of Philadelphia, Philadelphia County. Application received: October 23, 2023. Renewal of coverage issued: May 30, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@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.

WMGR081SE010. Sycamore International, Inc., 431 West Baltimore Pike, West Grove, PA 19390, London Grove Township, **Chester County**. This approval is for the renewal of Determination of Applicability to continue the coverage under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at Sycamore International, Inc. facility, located at 431 West Baltimore Pike in London Grove Township, Chester County. Application received: November 8, 2023. Renewal of coverage issued: May 30, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: A-EPWM-SERO-PERMITTS@pa.gov.

101699. Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067, Falls Township, **Bucks County**. This major permit modification approves the distribution of landfill gas (LFG) from Fairless Landfill to the Waste Management Renewable Energy (WMRE) Fairless RNG Facility (RNG Plant). The Fairless Landfill is a municipal waste landfill located in Falls Township, Bucks County. Application received: June 16, 2023. Issued: May 23, 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-PERMITTS@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.

AG5-59-00007B: UGI Texas Creek, LLC, 835 Knitting Mills Way, Wyomissing, PA 19610, Union Township, **Tioga County**. The Department approved authorization for the continued operation of two (2) 1,380 bhp Caterpillar G3516B LE four-stroke ultra-lean-burn compressor engines, one (1) 76 bhp Caterpillar DG60-2 (4SLB) natural gas fired generator engine, one (1) 75 MMscf/day dehydrator unit equipped with a 1.50 MMBtu/hr reboiler burner, one (1) 15,000-gallon produced fluids tank, two (2) oil tanks (each 300-gallon), one 74,000 Btu per hour gas line heater, a pigging station and fugitive emissions from blowdown, gas pneumatic devices, tanker loadout and component leaks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Yaggie Compressor Station. Application received: May 16, 2024. Renewal issued: May 30, 2024. New expiration date: May 29, 2029.

AG5A-08-00018A: SWN Production Company, P.O. Box 12359, Spring, TX 77391, Stevens Township, **Bradford County**. The Department approved authorization to construct and operate one (1) 1,380 brake-horsepower,

Waukesha model L5749GSI, 4-stroke, rich-burn, natural gas-fired compressor engine and three (3) gas processing units each with a 1.0 million Btu per hour natural gas-fired heater, and to continue operation of one (1) 1,380 brake-horsepower, Caterpillar model G3516J, 4-stroke, lean-burn, natural gas-fired compressor engine, four (4) gas processing units each with a 0.75 million Btu per hour natural gas-fired heater, one (1) 400 barrel/16,800-gallon produced fluids tank, one (1) 210 barrel/8,820-gallon produced fluids tank and fugitive emission sources pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the GU-O Marcucci-Jones Well Pad Site. Application received: May 6, 2024. Authorized: May 30, 2024. Expiration date: May 29, 2029.

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

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

GP1-06-03169A: Reading Medical Development, LP, 145 North Sixth Street, Suite 1, Reading, PA 19601, City of Reading, **Berks County**. For two existing natural gas-fired boilers, 20.23 MMBtu each, at the St. Joseph Hospital facility. Application received: May 21, 2024. Issued: June 3, 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.

GP14-23-0122: Pagano Funeral Home, 3711 Foulk Rd, Garnet Valley, PA 19060-1803, Bethel Township, **Delaware County**. This action is for the issuance of a renewed General Plan Approval and General Operating Permit for the Human Crematory—2MMBtu/hr (Source ID: 101). Application received: May 6, 2024. Issued: May 24, 2024.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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.

05-03024A: Geisel Styer Funeral Home & Cremation Services Inc., 3779 Pitt Street, Schellsburg, PA 15559, Schellsburg Borough, **Bedford County**. For the construction and operation of human and animal crematories (one each) at the facility. Application received: February 5, 2024. Issued: June 3, 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.

09-0210B: Waste Management of Fairless LLC, Old Bordentown Rd and Steel Rd S, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This action is for an extension of the plan approval for the operation and shakedown of three 5,000 SCFM ultra low emission flares to combust the landfill gas collected from GROWS,

GROWS North, and Fairless Landfills. Application received: April 16, 2024. Issued: May 29, 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.

14-00002T: Graymont (PA) Inc., 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. The Department issued a 180-day extension to authorize the continued operation of the new bagging and other process equipment associated with Source IDs P311 and P314 at Graymont Bellefonte lime manufacturing facility under the plan approval terms and conditions, until the terms and conditions are incorporated into the facility's Title V Operating Permit. Application received: May 28, 2024. Extension: June 3, 2024. New expiration date: December 7, 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.

28-05002Q: Letterkenny Army Depot, One Overcash Avenue, Chambersburg, PA 17201, Greene Township and Letterkenny Township, **Franklin County**. For the construction of two replacement paint stripping tanks in Building 377. The two paint stripping tanks to be constructed in Building 377 will replace two existing paint stripping tanks in Building 370. The plan approval was extended. Application received: May 8, 2024. Issued: June 3, 2024.

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

06-05096F: Tower Health System—Reading Hospital, P.O. Box 16052, Reading, PA 19612, West Reading Borough, **Berks County**. For the reactivation of a cogeneration plant at the Reading Hospital. The plan approval was extended. Application received: May 8, 2024. Issued: May 31, 2024.

36-03202A: US Pipe Fabrication LLC, 109 Fifth Street, Orlando, FL 32824, Ephrata Township, **Lancaster County**. For a metal pipe coating booth controlled by dry filters, at the pipe manufacturing facility. The plan approval was extended. Application received: May 10, 2024. Issued: May 31, 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.

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

Contact: Norm Frederick, 570-826-2409.

48-00011: MC Project Co, LLC/Martins Creek, 6605 Foul Rift Rd., Bangor, PA 18013-4857, Lower Mount Bethel Township, **Northampton County**. The Department issued a minor modification to the Title V Operating Permit for the electrical power generation facility in Lower Mount Bethel Township, 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, Subchapter G. The primary emission units at the Martins Creek facility are two (2) natural gas and fuel oil-fired electric generating units—Unit 3 and Unit 4 (Source IDs 033 and 034). The minor modification to the Title V Operating Permit requests 10% capacity factor limits on maintenance heaters 3 and 4 (Source IDs 108 and 109) and the incorporation of Boiler MACT provisions to the permit. The minor modification to the Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: January 17, 2024. Permit modification issued: May 22, 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.

19-00020: Kawneer Company, Inc., 500 East 12th Street, Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. The Department issued a renewal State Only (Synthetic Minor) Operating Permit for the Bloomsburg Plant facility. The State Only (Synthetic Minor) Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: November 17, 2022. Renewal issued: May 31, 2024. New expiration date: May 30, 2029.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

33-00174: Brownlee Lumber, Inc., 2652 Hazen Richardsville Rd, Brookville, PA 15825-7616, Warsaw Township, **Jefferson County**. The Department issued the renewal of the State Only Operating Permit for the facility. The primary sources at the facility are a 125 hp wood boiler and sawmill operations. Emissions for the site are estimated to be 15.7 tpy CO; 5.7 tpy NO_x; 0.65 tpy SO_x; 8.0 tpy PM₁₀; and 0.44 tpy VOC. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 63 Subpart JJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: March 17, 2023. Issued: May 28, 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.

28-03025: Wenger Feeds LLC, 101 West Harrisburg Avenue, Rheems, PA 17570-0026, Southampton Township, **Franklin County**. For the feed mill. The State-Only permit was renewed. Application received: January 23, 2024. Issued: June 3, 2024.

28-05047: Johnson Controls, Inc., 100 Cumberland Valley Avenue, Waynesboro, PA 17268-1206, Waynesboro Borough, **Franklin County**. For the commercial refrigeration and air conditioning equipment manufacturing facility. The State-Only permit was renewed. Application received: December 21, 2023. Issued: May 30, 2024.

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

38-03020: Daedalus Investment, LLC, d/b/a Tech Cast Limited, 640 S. Cherry St., Myerstown, PA 17067, Myerstown Borough, **Lebanon County**. For operation of a steel foundry facility. The State-Only permit was renewed. Application received: July 31, 2023. Issued: May 28, 2024.

36-05003: Armstrong World Industries, Inc., 2500 Columbia Avenue, P.O. Box 3001, Lancaster, PA 17604-3001, Manor Township, **Lancaster County**. For the Armstrong Corporate Campus and R & D facility. The State-Only permit was renewed. Application received: January 22, 2024. Issued: May 28, 2024.

06-03063: East Penn Manufacturing Co., P.O. Box 147, Lyon Station, PA 19536-0147, Kutztown Borough, **Berks County**. For the automotive wiring and battery accessory manufacturing facility. The State-Only permit was renewed. Application received: June 29, 2023. Issued: June 3, 2024.

36-03078: HP Acquisition Corporation, 1780 Rohrerstown Road, Lancaster, PA 17601-2320, East Hempfield Township, **Lancaster County**. For the customized metal foil manufacturing facility. The State-Only permit was renewed. Application received: December 7, 2023. Issued: May 29, 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.

63-00946: EQT Chap, LLC, 72 Hill Road, Fredericktown, PA 15333, Deemston Borough, **Washington County**. On May 28, 2024, the Department of Environmental Protection issued a natural minor State-Only Operating Permit to EQT Chap, LLC's Deemston-Wicks Compressor Station located in Deemston Borough, Washington County. This facility is subject to the applicable requirements of 25 Pa. Code, Chapters 121 through 145, and 40 CFR Part 63 Subparts ZZZZ and HH. The air quality Operating Permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, reporting, and recordkeeping requirements for the site. Application received: May 11, 2023. Deemed administratively complete: May 24, 2023.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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.

18-00021: Avery Dennison Performance Polymers, 171 Draketown Road, Mill Hall, PA 17751, Bald Eagle Township, **Clinton County**. The Department issued a

revised State Only Operating Permit for Avery Dennison Performance Polymers' Mill Hall facility. Revision No. 3 was issued for the incorporation of Plan Approval 18-00021D into State Only Operating Permit NMOP 18-00021. Application received: May 13, 2024. Effective: May 30, 2024. Revised: May 30, 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.

23-00030: Swarthmore College, 500 College Ave Ste 2, Swarthmore, PA 19081-1306, Swarthmore Borough, **Delaware County**. This amendment incorporates terms and conditions of Plan Approval 23-0030B, which is for the installation of 2 new 2.5-megawatt engines (Source ID 118 and Source ID 119) fired by natural gas to be located at the existing site. Application received: May 9, 2024. Issued: May 28, 2024.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

03-00050: Creekside Mushrooms Worthington, 1 Moonlight Drive, Worthington, PA 16262, West Franklin Township, **Armstrong County**. The soil pasteurization and blending are no longer in operation and the facility is no longer a mushroom producing facility. The facility requested the Operating Permit be suspended (revoked). The only remaining source is the diesel fired emergency generator (Source 190) which is exempt based on 25 Pa. Code § 127.14(a)(8) No. 6 because NO_x emissions are less than 100 lbs/hr, 1000 lbs/day, 2.75 tons per ozone season and 6.6 tons per year on a 12-month rolling basis for the combined engine emissions. Application received: April 3, 2024. Revoked: April 10, 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

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

Mining Permit No. 02733702. NPDES No. PA0023370. Consol Mining LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Plum Borough, **Allegheny County**. To revise the permit and related NPDES permit for installation of pipeline and one (1) new NPDES outfall, affecting 37.0 coal refuse disposal support acres. Receiving stream(s): Allegheny River, classified for the following use: WWF. Application received: April 29, 2022. Accepted: June 30, 2022. Issued: March 21, 2024.

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 11230101. NPDES No. PA0279901. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Cresson Township, **Cambria County**. Commencement, operation and restoration of a bituminous surface mine affecting 364.0 acres. Receiving streams: Unnamed Tributary to Bear Rock Run and Unnamed Tributaries to Burgoon Run and Burgoon Run classified for the following use: CWF. Application received: December 5, 2023. Permit issued: May 29, 2024.

Mining Permit No. 5616-1-1. NPDES No. PA0279510. Coal Loaders, Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, Paint Township, **Somerset County**. Transfer of a bituminous surface and auger mine from Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963 affecting 159.2 acres. Receiving streams: Weaver Run to Seese Run to Paint Creek/Stonycreek River Watershed, classified for the following uses: CWF. Application received: December 26, 2023. Permit issued: May 30, 2024.

Noncoal Permits

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 1, 2023. Accepted: January 5, 2024. Issued: June 30, 2024.

Mining Permit No. 08092805. NPDES GP104 No. PAM219009. Tim Leonard Excavating, LLC, 284 Patterson Road, Columbia Cross Roads, PA 16914, Springfield Township, **Bradford County**. Permit transfer of a small industrial minerals surface mine from Timothy D. Leonard affecting 5.0 acres. Receiving stream(s): Mill Creek, UNT to Sugar Creek classified for the following use(s): TSF, MF. Application received: November 3, 2023. Issued: May 31, 2024.

Mining Permit No. GP12-17921603. Greenwood Processing & Loading Complex, LLC, 1340 Hoyt Road, Curwensville, PA 16833, Greenwood Township, **Clearfield County**. Coverage under GP-12 to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface

Mining Permit No. 17921603. Application received: March 8, 2024. Accepted: March 12, 2024. Issued: June 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

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Permit No. 56244101. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141-2018, Conemaugh Township, **Somerset County**. Blasting activity permit for Davidsville Landfill with an expiration date of December 31, 2024 Application received: May 24, 2024. Issued: May 28, 2024.

Permit No. 11244101. Senex Explosives, Inc., 710 Millers Run Road, Cuddy, PA 15031-9742, Jackson Township, **Cambria County**. Blasting activity permit for Laurel Highlands Landfill with an expiration date of June 1, 2025. Application received: May 24, 2024. Issued: May 28, 2024.

Permit No. 07244001. Matthew G. McEntire, 5733 Westwood Drive, Weldon Spring, MD 63304, Snyder Township, **Blair County**. Blasting activity permit for American Eagle Paper Mill (Boilers). Application received: May 31, 2024. Permit issued: May 31, 2024.

Eastern District: 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 40244107. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, Hazle Township, **Luzerne County**. Construction blasting for Hazleton Logistics. Application received: April 29, 2024. Permit issued: April 30, 2024. Expiration date: May 30, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 36244108. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, West Lampeter Township, **Lancaster County**. Construction blasting for Randy Andrews chicken houses. Application received: March 20, 2024. Permit issued: March 27, 2024. Expiration date: May 30, 2024.

Permit No. 13244101. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Kidder Township, **Carbon County**. Construction blasting for Blakeslee Route 940 Warehouse. Application received: March 26, 2024. Permit issued: March 28, 2024. Expiration date: March 26, 2025.

Permit No. 15244102. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, East Brandywine Township, **Chester County**. Construction blasting for Plank Tract residential development. Application received: March 20, 2024. Permit issued: March 28, 2024. Expiration date: April 1, 2025.

Permit No. 15244103. Valley Rock Solutions, LLC, P.O. Box 246, Macungie, PA 18062, West Whiteland

Township, **Chester County**. Construction blasting for Whitford Wawa. Application received: March 26, 2024. Permit issued: March 28, 2024. Expiration date: December 31, 2024.

Permit No. 36244109. J Roy's, Inc., P.O. Box 125, Bowmansville, PA 17507, Manheim Township, **Lancaster County**. Construction blasting for Fairfield Inn. Application received: March 27, 2024. Permit issued: April 2, 2024. Expiration date: March 25, 2025.

Permit No. 36244110. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Warwick Township, **Lancaster County**. Construction blasting for Rohrsers Quarry road crossing. Application received: March 27, 2024. Permit issued: April 2, 2024. Expiration date: July 30, 2024.

Permit No. 36244111. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, East Hempfield Township, **Lancaster County**. Construction blasting for Jerry Stone single dwelling. Application received: March 30, 2024. Permit issued: April 2, 2024. Expiration date: July 30, 2024.

Permit No. 39244103. Pact Construction, Inc., P.O. Box 74, Rigoes, NJ 08551, Upper Macungie Township, **Lehigh County**. Construction blasting for Lehigh County Upper Western Lehigh Force Main. Application received: March 24, 2024. Permit issued: April 4, 2024. Expiration date: December 31, 2024.

Permit No. 38244102. J Roy's, Inc., P.O. Box 125, Bowmansville, PA 17507, West Lebanon Township, **Lebanon County**. Construction blasting for Holm Utilities. Application received: April 5, 2024. Permit issued: April 9, 2024. Expiration date: April 8, 2025.

Permit No. 09244104. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Middletown Township, **Bucks County**. Construction blasting for Stone Meadow Farm. Application received: May 30, 2024. Permit issued: April 10, 2024. Expiration date: May 1, 2025.

Permit No. 40244105. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Hanover Township, **Luzerne County**. Construction blasting for 450 Steward Road Warehouse. Application received: April 9, 2024. Permit issued: April 15, 2024. Expiration date: April 8, 2025.

Permit No. 38244103. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, South Annville Township, **Lebanon County**. Construction blasting for Wynfield at Annville. Application received: April 13, 2024. Permit issued: April 16, 2024. Expiration date: March 30, 2025.

Permit No. 06244102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, New Morgan Borough, **Berks County**. Blasting for the Conestoga Landfill. Application received: April 16, 2024. Permit issued: April 17, 2024. Expiration date: April 15, 2025.

Permit No. 39244104. Valley Rock Solutions, LLC, P.O. Box 246, Macungie, PA 18062, Lower Macungie Township, **Lehigh County**. Construction blasting for Lehigh Valley West Lot 56. Application received: April 10, 2024. Permit issued: April 17, 2024. Expiration date: December 31, 2024.

Permit No. 54244102. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Blythe and New Castle Townships, **Schuylkill County**. Construction blasting for SR61-4M Reconstruction ECMS 96470. Application re-

ceived: April 6, 2024. Permit issued: April 18, 2024. Expiration date: May 1, 2026.

Permit No. 39244105. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Coopersburg Borough, **Lehigh County**. Construction blasting for Ashford Preserve. Application received: April 16, 2024. Permit issued: April 19, 2024. Expiration date: May 1, 2025.

Permit No. 54244103. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Blythe Township, **Schuylkill County**. Blasting for the Brads Landfill. Application received: April 16, 2024. Permit issued: April 19, 2024. Expiration date: April 15, 2025.

Permit No. 40244106. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, Hazle Township, **Luzerne County**. Construction blasting for commercial development. Application received: April 12, 2024. Permit issued: April 22, 2024. Expiration date: December 31, 2024.

Permit No. 46244101. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Upper Providence Township, **Montgomery County**. Construction blasting for Heartfield Development. Application received: April 18, 2024. Permit issued: April 23, 2024. Expiration date: May 1, 2025.

Permit No. 48244102. Schlouch, Inc., 132 Excelsior Drive, Blandon, PA 19510, Allen Township, **Northampton County**. Construction blasting for High Meadows Estates. Application received: April 24, 2024. Permit issued: April 29, 2024. Expiration date: April 24, 2025.

Permit No. 46244102. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Lower Frederick Township, **Montgomery County**. Construction blasting for Farm View. Application received: May 2, 2024. Permit issued: May 2, 2024. Expiration date: May 1, 2025.

Permit No. 67244103. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, Manchester Township, **York County**. Construction blasting for Expressway Commons Warehouse. Application received: May 2, 2024. Permit issued: May 30, 2024. Expiration date: October 25, 2024.

Permit No. 36244112. J Roy's, Inc., P.O. Box 125, Bowmansville, PA 17507, Manheim Township, **Lancaster County**. Construction blasting for Parkside Reserve Lots 32-37. Application received: May 1, 2024. Permit issued: May 6, 2024. Expiration date: May 2, 2025.

Permit No. 67244102. Douglas Explosive Services, LLC, 2052 Bigler Highway, Phillipsburg, PA 16866, Manheim Township, **York County**. Construction blasting for Susquehanna Trail Project Application received: May 2, 2024. Permit issued: May 8, 2024. Expiration date: December 30, 2024.

Permit No. 15244104. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Phoenixville Borough, **Chester County**. Construction blasting for Odessa Development. Application received: May 2, 2024. Permit issued: May 9, 2024. Expiration date: May 30, 2024.

Permit No. 15244105. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Phoenixville Borough, **Chester County**. Construction blasting for Trieste Development. Application received: May 2, 2024. Permit issued: May 9, 2024. Expiration date: May 1, 2025.

Permit No. 35244108. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Dickson City Borough, **Lackawanna County**. Construction blasting for Wawa Lots 2, 3, 4 and partial Lot 1. Application

received: May 7, 2024. Permit issued: May 9, 2024. Expiration date: May 7, 2025.

Permit No. 36244113. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Manheim Township, **Lancaster County**. Construction blasting for Lancaster Airport. Application received: May 9, 2024. Permit issued: May 14, 2024. Expiration date: May 9, 2025.

Permit No. 48244103. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Hanover Township, **Northampton County**. Construction blasting for UHS/LVHN Behavioral Health Hospital. Application received: May 14, 2024. Permit issued: May 16, 2024. Expiration date: May 31, 2025.

Permit No. 46244103. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Horsham Township, **Montgomery County**. Construction blasting for Waterside Phase 4. Application received: May 9, 2024. Permit issued: May 20, 2024. Expiration date: June 1, 2025.

Permit No. 39244106. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Upper Macungie Township, **Lehigh County**. Construction blasting for Lehigh Hills West. Application received: May 14, 2024. Permit issued: May 21, 2024. Expiration date: May 31, 2025.

Permit No. 22244102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, City of Harrisburg, **Dauphin County**. Construction blasting for I-83 East Shore Section Reconstruction. Application received: May 21, 2024. Permit issued: May 28, 2024. Expiration date: May 31, 2025.

Permit No. 36244114. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Earl Township, **Lancaster County**. Construction blasting for Keystone Mills Storage Tank. Application received: May 21, 2024. Permit issued: May 28, 2024. Expiration date: July 30, 2024.

Permit No. 36244115. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Manheim Township, **Lancaster County**. Construction blasting for Lancaster Airport. Application received: May 21, 2024. Permit issued: May 28, 2024. Expiration date: May 31, 2025.

Permit No. 38244104. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, North Londonderry Township, **Lebanon County**. Construction blasting for Winding Creek Phase 2. Application received: May 24, 2024. Permit issued: May 28, 2024. Expiration date: May 31, 2025.

Permit No. 38244105. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Millcreek Township, **Lebanon County**. Construction blasting for Sidney Cleason Nolt Dwelling. Application received: May 27, 2024. Permit issued: May 28, 2024. Expiration date: August 30, 2024.

Permit No. 49244101. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, West Chillisquaque Township, **Northumberland County**. Construction blasting for Rutters 106. Application received: May 15, 2024. Permit issued: May 28, 2024. Expiration date: September 17, 2024.

Permit No. 15244106. M3 Explo, LLC, P.O. Box 615, Bowmansville, PA 17507, Caln Township, **Chester County**. Construction blasting for Hills at Thorndale

Woods. Application received: May 23, 2024. Permit issued: May 30, 2024. Expiration date: May 20, 2025.

Permit No. 15244107. Valley Rock Solutions, LLC, P.O. Box 246, Macungie, PA 18062, East Brandywine Township, **Chester County**. Construction blasting for Brandywine Walk Phase 2. Application received: May 29, 2024. Permit issued: May 30, 2024. Expiration date: March 31, 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.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829224-001. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Herrick Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District.

Application received: February 15, 2024. Issued: June 3, 2024.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (400 square feet) of an unnamed tributary to Billings Creek (WWF, MF) and 2,400 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.750576°, Longitude: -76.266792°);

2. a 16-inch diameter temporary waterline impacting 4 linear feet (7 square feet) of an unnamed tributary to Billings Creek (WWF, MF), 504 square feet of floodway impacts, and 313 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.750255°, Longitude: -76.272354°);

3. a 16-inch diameter temporary waterline impacting 8 linear feet (13 square feet) of an unnamed tributary to Billings Creek (WWF, MF) and 253 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.750253°, Longitude: -76.272994°);

4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 6 linear feet (8 square feet) of Billings Creek (WWF, MF), 169 square feet of floodway impacts, 1,973 square feet of Palustrine Emergent Wetland and 11 square feet of a Palustrine Scrub-Shrub Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747502°, Longitude: -76.276206°);

5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 5 linear feet (7 square feet) of an unnamed tributary to Billings Creek (WWF, MF), 895 square feet of floodway impacts, and 423 square feet of Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747063°, Longitude: -76.276581°);

6. a 16-inch diameter temporary waterline impacting 488 square feet of floodways impacts to an unnamed tributary to Billings Creek (WWF, MF) (Wyalusing, PA Quadrangle, Latitude: 41.747285°, Longitude: -76.279580°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 4,135 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747792°, Longitude: -76.284979°);

8. a 16-inch diameter temporary waterline impacting 3,864 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747733°, Longitude: -76.286372°);

The project will result in 43 linear feet (435 square feet) of temporary stream impacts, 4,709 square feet (0.108 acre) of temporary floodway impacts, 10,672 square feet (0.245 acre) of temporary PEM wetland impacts, 11 square feet (0.0002 acre) of temporary PSS wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Herrick Township, Bradford County.

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

Contact: Pete Geanacopoulos, Project Manager, RA-EPWW-NCRO@pa.gov.

E0804224-004. Wyalusing Township, 2473 Old Stagecoach Road, Wyalusing, PA 18853, Wyalusing Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District.

Removal of three gravel bars along Wyalusing Creek (WWF, MF). Latitude: 41.729120°, Longitude: -76.236793°. Application received: January 16, 2024. Accepted: March 11, 2024. Approved: May 30,

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.

E5802123-003. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Rush Township, **Susquehanna County.** U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 52-foot wide pre-cast box culvert with a 13-foot normal clear span and an 8-foot minimum underclearance and to construct and maintain appurtenant structure features. The structure will carry SR 0706 across a tributary to East Branch Wyalusing Creek (CWF, MF). The project is located along SR 0706 Section 552 approximately 1-mile northeast of the SR 0706/3023 intersection (Lawton, PA Quadrangle Latitude: 41.79734°, Longitude: -76.034126°) in Rush Township, Susquehanna County. Latitude: 41.79734°, Longitude: -76.034126°. Application received: November 3, 2023. Issued: May 28, 2024.

E4802223-010. Tatamy Borough, 423 Broad Street, Tatamy, PA 18085, Tatamy Borough, **Northampton County.** U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions/encroachments associated with the Braden Park Trail Extension Project: 1. A 170-foot long by 10-foot wide shared use walking trail extension within the floodplain of the Bushkill Creek (HQ-CWF, MF). 2. A 20-foot by 30-foot pavilion within the floodplain of the Bushkill Creek (HQ-CWF, MF). 3. A 2,000 square foot parking lot expansion/modification within the floodplain of the Bushkill Creek (HQ-CWF, MF) resulting in two additional parking spaces and regrading of existing parking lot sections. The proposed activities will result in a 10 cubic yard reduction in fill to the floodplain of Bushkill Creek (HQ-CWF, MF) due to the proposed grading of the site. The project is located at 3800 Bushkill Drive at the intersection of Uhler Road (Easton, PA Quadrangle Latitude: 40°, 44', 32.7" Longitude: -75°, 14', 54.9") in Tatamy Borough, Northampton County. Application received: November 22, 2023. Issued: May 31, 2024.

E4502224-003. James Snyder and Rich Luboff, 1610 Locust Lane, Pocono Lake, PA 18347, Tobyhanna Township, **Monroe County.** U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a 9-foot-wide by 26-foot-long wooden dock, supported by metal posts within the basin of Locust Lake (EV). To construct and maintain a 7-foot-wide by 8-foot-long raised walkway placed on cinderblocks, to cross an area of wetlands, to access the proposed dock. The project is located at Lot 306, Section H-1 in the Locust Lake Village community (Thornhurst, PA Quadrangle Latitude: 41.144385; Longitude -75.556552) in Coolbaugh Township, Monroe County. Application received: March 6, 2024. Issued: June 3, 2024.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

E0103222-001. Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331, Abbottstown Borough and Berwick Township, **Adams County.** U.S. Army Corps of Engineers Baltimore District.

To 1) construct and maintain a 56.0-foot long 4.0-foot by 14.0-foot open bottomed box culvert roadway crossing with endwalls with an associated 113.0-linear foot stream relocation and an 8.0-inch water line installation in the roadway footprint all across a UNT to Beaver Creek (WWF, MF), permanently impacting 0.20 acre of forested and emergent wetland, 2) to install and maintain an 8.0-inch sanitary sewer line across an Unnamed Tributary to Beaver Creek (WWF, MF), permanently impacting 24 linear feet of stream channel and 0.05 acre of emergent wetland. The purpose of the project is to build a residential housing development. The project is located along Sutton Road in Abbottstown Borough and Berwick Township, Adams County (Latitude: (39.8781); Longitude: (-76.9897)). The project proposes 0.45 acre of on-site wetland creation as compensatory mitigation. Latitude: 39.8781°, Longitude: -76.9897°. Application received: November 18, 2022. Authorized: June 3, 2024.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

EA3603223-005. East Earl Township, 4610 Division Highway, East Earl, PA 17519, East Earl Township, **Lancaster County.** U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration and stream relocation project along 2,620-feet of Cedar Creek (WWF, MF) including the removal of legacy sediments and an existing agricultural crossing and 1.) the installation and maintenance of 376-feet of rock toe protection 2.) the construction of a 100-foot long by 30-foot wide livestock crossing under General Permit 6 coverage 3.) the construction of a 50-foot by 20-foot temporary stream crossing under General Permit 8 coverage, 4) and the installation of a 3-teir riparian forest buffer, all for the purpose of reconnecting the floodplain by the removal of legacy sediment and stabilizing the streambank. The project is located at 1069 Springville Road in East Earl Township, Lancaster County [Latitude: 40.1176, Longitude: -76.0251]. No wetlands will be impacted by the project. Latitude: 40.1176°, Longitude: -76.0251°. Application received: November 13, 2023. Authorized: May 31, 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 differ-

ent 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 **ESG290824006-00**
 Applicant Name **HEP Pennsylvania Gathering LLC**
 Contact Person James Townsley, III
 Address 22024 Route 14
 City, State, Zip Troy, PA 16947
 Township(s) Stevens Township
 County **Bradford County**
 Receiving Stream(s) and Classification(s) Bennet Creek (WWF, MF)
 Application received: March 11, 2024
 Issued: May 28, 2024

ESCGP # 3 **ESG290824001-00**
 Applicant Name **Chesapeake Appalachia LLC**
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 Township(s) Asylum Township
 County **Bradford County**
 Receiving Stream(s) and Classification(s) Ellis Creek (WWF, MF)
 Application received: January 3, 2024
 Issued: May 28, 2024

ESCGP # 3 **ESG295824004-00**
 Applicant Name **Coterra Energy Inc.**
 Contact Person Kenneth Marcum
 Address 2000 Park Lane, Suite 300
 City, State, Zip Pittsburgh, PA 15275
 Township(s) Auburn Township
 County **Susquehanna County**

Receiving Stream(s) and Classification(s) UNT to Riley Creek (CWF, MF)
 Application received: March 14, 2024
 Issued: May 30, 2024

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCGP # 3 **ESX180590038-01**
 Applicant Name **Greylock Prod LLC—Beacon Well Pad**
 Contact Person Vincent Scicchitano,
 vsicchitano@cecinc.com,
 Address 137 Blakers Ridge Road
 City, State, Zip Waynesburg, PA 15370
 Township(s) Greene Township
 County **Greene County**
 Receiving Stream(s) and Classification(s) 001. Tributary 41231 to Frosty Run, Ch 93 Class TSF
 Application received: May 3, 2024
 Renewal issued: May 29, 2024

ESCGP # 3 **ESG150590007-01**
 Applicant Name **Rice Drilling B LLC—Strosnider Well Pad**
 Contact Person Todd Klaner
 (724) 746-9043
 TKlaner@eqt.com
 Address 714 White Ridge Road
 City, State, Zip Waynesburg, PA 15370
 Township(s) Franklin Township
 County **Greene County**
 Receiving Stream(s) and Classification(s) 1. UNT to Smith Creek, Ch 93 class WWF 2. Smith Creek, Ch 93 Class WWF 3. UNT to Pursley Creek, Ch 93 Class HQ-WWF
 Application received: March 20, 2024
 Renewal issued: June 4, 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 reme-

dial 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.

White Haven 940 Plaza, Storage Tank Facility ID # **40-24918**, 601 Church Street, White Haven, PA 18661, White Haven Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of White Haven 940 Plaza, LLC, 24 Cotswold Street, Danville, PA 17821, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting Statewide health standards.

Bones Auto Parts, Storage Tank Facility ID # **40-22861**, 1110 Wilkes-Bare Township Boulevard, Wilkes-Barre, PA 18702, Wilkes-Barre Township, **Luzerne County**. Keystone Environmental Health & Safety Services, 1111 12th Avenue, Altoona, PA 16601, on behalf of EG America, 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting site-specific standards.

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

Contact: Chris, 724-598-2206.

Guttman Oil Co, Storage Tank Facility ID # **43-31418**, 3434 Sharon Road, West Middlesex, PA 16159, West Middlesex Borough, **Mercer County**. Apex Companies, LLC, 975 Georges Station Road, Suite 100, Greensburgh, PA 15601, on behalf of Guttman Energy, 200 Speers Street, Belle Vernon, PA 15012, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline, leaded gasoline, and diesel fuel. The plan is intended to document the remedial actions for meeting residential and nonresidential site-specific standards.

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

Contact: Gregory Bowman, Environmental Group Manager, 717-705-4705.

Turkey Hill 251, Storage Tank Facility ID # **36-37954**, 23 Centerville Road, Lancaster, PA 17603, East Hempfield

Township, **Lancaster County**. Kleinfelder, Inc., 51 Dutilh Road, Suite 240, Cranberry Township, PA 16066, on behalf of TH Minit Markets, LLC, 165 Flanders Road, Westborough, MA 01581 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 standards.

Contact: Michael Stefanic, P.G., 717-705-4705.

Pensinger's Service Station, Storage Tank Facility ID # **28-05161**, 123 Path Valley Road, Fort Lougon, PA 17224-0100, Peters Township, **Franklin County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Donald Pensinger, 123 Path Valley Road, Fort Loudon, PA 17224-0100 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Unleaded Gasoline. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Main Line Citgo, Storage Tank Facility ID # **23-45906**, 700 W Haverford Rd, Bryn Mawr, PA 19010, Haverford Township, **Delaware County**. Claymore Environmental LLC, 650 Germantown Pike, Lafayette Hill, PA 19444, on behalf of Satwinder Multani, 700 E Haverford Road, Haverford, PA 19041 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

SEPTA Germantown Garage, Storage Tank Facility ID # **51-07482**, 6725 Germantown Ave, Philadelphia, PA 19119, City of Philadelphia, **Philadelphia County**. Michael Baker International, Inc., 1818 Market Street, Suite 3100, Philadelphia, PA 19103, on behalf of SEPTA, 1234 Market Street, Philadelphia, PA 19107 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document the remedial actions for meeting residential and 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.

Sunoco # 0261-8833, Storage Tank Facility ID # **02-32313**, 2105 Walnut Street, McKeesport, PA 15132, City of McKeesport, **Allegheny County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Evergreen Resource Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Happy Mart, Storage Tank Facility ID # **02-06684**, 1100 Penn Avenue, Wilkesburg, PA 15221, City of Pittsburgh, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of S&D Oil, Inc., 1100 Penn Avenue, Pittsburgh, PA 15221

submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential site-specific standards.

Pitstop Sunoco, Storage Tank Facility ID # **65-83808**, 5556 State Route 982, Derry, PA 15627, Derry Township, **Westmoreland County**. Gary C. Calvert, LLC, P.O. Box # 504, Hollidaysburg, PA 16648, on behalf of 4 Kids Rock, Inc., 5556 State Route 982, Derry, PA 15627 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Household Hazardous Waste Education Grant Award under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection announces the following grant to Mifflin County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

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: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Honey Bear Mini Mart # 217, Storage Tank Facility ID # **11-24175**, 3100 Elton Road, Johnstown, PA 15904, Richland Borough, **Cambria County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Graft Oil Co, 2561 Memorial Boulevard, P.O. Box 899, Connellsville, PA 15425 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the residential Statewide health standards and was approved by DEP on May 13, 2024.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Star Gas Mart, Storage Tank Facility ID # **15-30422**, 1762 New London Road, Kemblesville, PA 19347, Franklin Township, **Chester County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of MNAN Enterprises, LLC, 1514 Red Top Terrace, Perry Hall, MD 21128 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on May 30, 2024.

SPECIAL NOTICES

WATER PROGRAMS

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Contact: Susan Wilbur, 717-705-4708.

Source Water Protection Program Approval issued to **Mifflin County Municipal Authority**, 400 Filter Plant Road, Lewistown, PA 17063, PWSID **4440010**, Countywide, **Mifflin County**, on June 4, 2024.

[Pa.B. Doc. No. 24-835. Filed for public inspection June 14, 2024, 9:00 a.m.]

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW) and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offering can be directed to Janet Heindel, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at jaheindel@pa.gov or (717) 787-7614.

Act 101, Section 901 HHW Education Grant

Region	County	Applicant	Project	Grant
Southcentral	Mifflin	Mifflin County	HHW Education	\$19,785

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-836. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Issuance of Revised General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21)

In accordance with section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), the Department of Environmental Protection (Department) has issued the revised General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21) with an effective date of June 15, 2024.

The Department published a notice regarding the availability of the proposed revised GP-21 for public review and comment at 54 Pa.B. 1429 (March 16, 2024), in six newspapers of general circulation and sent to nearby states and the United States Environmental Protection Agency. The public comment period ended on April 29, 2024. The Department prepared a comment and response document that summarizes the comments received.

Applicants may seek authorization to use GP-21 by submitting the General Permit application to the appropriate Department regional office. Applicants must receive the Department's written approval prior to constructing or operating, or both, coal-mine methane enclosed flares authorized under this General Permit. The Department will publish notice of each authorization to use GP-21 in the *Pennsylvania Bulletin*.

A copy of the General Permit with related documents, including the comment and response document and technical support document, can be obtained by contacting David Clark, P.O. Box 8468, Harrisburg, PA 17105, (717) 772-3942, davclark@pa.gov. The documents are

available on the Department's web site at <http://www.dep.greenport.state.pa.us/elibrary/GetFolder?FolderID=3623>.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-837. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Laboratory Accreditation Advisory Committee Meeting Scheduled

On Tuesday, November 19, 2024, the Laboratory Accreditation Advisory Committee (Committee) will be holding a meeting at 9 a.m. at the Rachel Carson State Office Building, Room 105, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information about Committee meetings, including agendas, meeting materials and in person and remote participation options, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Laboratory Accreditation," then "Laboratory Accreditation Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to Annmarie Beach at anbeach@pa.gov or (717) 346-8212.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-838. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision for a Noninterference Demonstration under Section 110(l) of The Clean Air Act to Support Decommissioning Stage II Gasoline Vapor Recovery Requirements and Add Requirements for Gasoline Dispensing Facilities; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a noninterference demonstration required under section 110(l) of The Clean Air Act (act) (42 U.S.C. § 7410(l)). The noninterference demonstration is necessary to support the Department's submittal of a final rulemaking amending 25 Pa. Code Chapter 129 (relating to standards for sources) entitled "Control of VOC Emissions from Gasoline Dispensing Facilities (Stage I and Stage II)," published at 52 Pa.B. 1875 (March 26, 2022) as a revision to the Commonwealth's State Implementation Plan (SIP) at 40 CFR 52.2020 (relating to identification of plan). These amendments to Chapter 129, which apply to the five-county Philadelphia area and seven-county Pittsburgh area, provide for the decommissioning of Stage II vapor recovery equipment used at gasoline dispensing facilities and require leak testing to control emissions of volatile organic compounds (VOC) after decommissioning is complete. The noninterference demonstration will also support Allegheny County Health Department's final rulemaking, amending Article XXI, Subpart 1—VOC Sources, "Gasoline Dispensing Facilities—Stage II Control" as a revision to the Commonwealth's SIP. Emissions of VOC are a precursor to the formation of ground-level ozone. Ozone is a criteria pollutant with an associated National Ambient Air Quality Standard (NAAQS).

Section 110(l) of the act, pertaining to plan revisions, provides that the Environmental Protection Agency (EPA) Administrator shall not approve an SIP revision if that revision would interfere with any applicable requirement concerning attainment of an NAAQS and reasonable further progress in attaining an NAAQS or any other applicable requirement of the act. The noninterference demonstration in this proposed SIP revision shows that requiring decommissioning of vacuum assist Stage II vapor recovery systems and allowing decommissioning of all types of Stage II vapor recovery equipment as specified in 25 Pa. Code § 129.82a (relating to requirements to decommission a Stage II vapor recovery system) would satisfy section 110(l) of the act.

The EPA approval of this noninterference SIP revision will allow for the inclusion of revisions to 25 Pa. Code

§§ 121.1, 129.61 and 129.82 (relating to definitions; small gasoline storage tank control (Stage I) control; and control of VOCs from gasoline dispensing facilities (Stage II)) and 25 Pa. Code §§ 129.61a (relating to vapor leak monitoring procedures and other requirements for small gasoline storage tank emission control) and 129.82a, into the Commonwealth's SIP. The Department previously provided a 66-day public comment period that opened September 26, 2020, and closed November 30, 2020, on the proposed amendments. See 50 Pa.B. 5236 (September 26, 2020). The Department will not be accepting public comment on the Stage I and Stage II rulemaking.

This proposed noninterference demonstration that supports the SIP revision is available on the Department's web site at www.ahs.dep.pa.gov/eComment.

The Department will provide the opportunity for a public hearing to receive comments on the proposed noninterference demonstration. The Department will hold two public hearings to receive comments on the proposed SIP revision. The Department will hold the first hearing on July 15, 2024, at 1 p.m. at the Department of Environmental Protection, Southwest Regional Office, 500 Waterfront Drive, Rooms A and B, Pittsburgh, PA 15222. The second hearing will be held on July 16, 2024, at 1 p.m. at 2 East Main Street, Norristown, PA 19401. Persons wishing to present testimony should contact Amanda Rodriguez at amarodrigu@pa.gov or (717) 787-7677 no less than 24 hours in advance of the public hearing to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at P.O. Box 8468, Harrisburg, PA 17105, (717) 787-7677, amarodrigu@pa.gov. TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than July 16, 2024. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments may be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Stage II NID" as the subject line in written communication.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-839. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

Facility Name	Regulation
Children's Dental Surgery of Bethlehem	28 Pa. Code § 555.32(a) (relating to administration of anesthesia)

<i>Facility Name</i>	<i>Regulation</i>
Hershey Outpatient Surgery Center, LP	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)
Main Line Surgical Center	28 Pa. Code § 555.31(a) (relating to principle)
Plaza Surgical Center, Inc.	28 Pa. Code § 555.31(a)
UOC Surgical Services, Ltd.	28 Pa. Code § 555.32(a)
UPMC Altoona Surgery Center	28 Pa. Code § 553.1 (relating to principle)
	28 Pa. Code § 553.31(a)

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (FGI *Guidelines*). The following list includes the citation to the section of the FGI *Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
UPMC Saint Margaret Harmor Outpatient Center	A2.1-3.2.4.2(1)(c) space requirements	22-O

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

² 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-840. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from May 1, 2024, through May 31, 2024. Future publications of decisions on exception requests will appear on a monthly basis.

Requests for additional information on the exception request and the Department’s decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding home care agencies, home care registries and home health care agencies shall be addressed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Advanced Center for Surgery, LLC	§ 555.32(a) (relating to administration of anesthesia)	05/09/2024	Granted w/Conditions

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Children's Dental Surgery	§ 555.32(a)	05/09/2024	Granted w/Conditions
Huntingdon Valley Surgery Center	§ 553.31(a) (relating to administrative responsibilities)	05/16/2024	Granted w/Conditions
Laurel Laser & Surgery Center, LP	§ 553.4(h) (relating to other functions)	05/09/2024	Granted Temporary
Valley Pain Center	§ 553.31(a)	05/16/2024	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Allegheny General Hospital	§ 153.1(a) (relating to minimum standards) 2.1-3.2.2.1(1) and (2)(a) space requirements	05/09/2024	Granted
Geisinger Community Medical Center	§ 51.3(b)—(d) (relating to notification)	05/09/2024	Granted w/Conditions
	§ 101.3 (relating to affected institutions)	05/09/2024	Granted w/Conditions
	§ 101.31(5) (relating to hospital requirements)	05/09/2024	Granted w/Conditions
	§ 105.15 (relating to patient identification)	05/09/2024	Granted w/Conditions
	§ 107.64 (relating to administration of drugs)	05/09/2024	Granted w/Conditions
	§ 117.30(3) and (4) (relating to emergency paramedic services)	05/09/2024	Granted w/Conditions
	§ 153.1(a) and (c)	05/09/2024	Granted w/Conditions
Geisinger Medical Center	§ 153.1(a) 2.1-7.2.2.2(1) ceiling height	05/09/2024	Granted Temporary
Lancaster General Hospital, The	§ 153.1(a) 2.1-3.6.2.1(2) exam room	05/16/2024	Granted
Lehigh Valley Hospital—Macungie	§ 107.61 (relating to written orders)	05/09/2024	Granted w/Conditions
	§ 107.62(a) and (b) (relating to oral orders)	05/09/2024	Granted w/Conditions
Meadville Medical Center	§ 153.1(a) 2.2-3.5.2.2(1)(c)(i) space requirements	05/13/2024	Granted
	§ 153.1(a) 2.2-3.5.2.5(1)(b) system component room	05/13/2024	Granted w/Conditions
Penn Highlands Mon Valley	§ 153.1(a) 2.1-7.2.2.2(1) and (2) ceiling height	05/09/2024	Granted
Saint Luke's Hospital of Bethlehem, Pennsylvania	§ 153.1(a) 2.2-3.1.4.3(2)(b)(i) rooms serving behavioral and mental health patients	05/09/2024	Granted
UPMC Lititz	§ 103.31 (relating to the chief executive officer)	05/16/2024	Granted w/Conditions
	§ 109.2(b) (relating to director of nursing services)	05/16/2024	Granted w/Conditions
UPMC Presbyterian Shadyside	§ 153.1(a) 2.2-3.5.2.2(1)(b)(i) space requirements	05/17/2024	Granted
Warren General Hospital	§ 109.2(b)	05/13/2024	Granted

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Barclay Friends	§ 201.17 (relating to location)	05/20/2024	Granted
	§ 205.6(a) (relating to function of building)	05/20/2024	Granted
Linden Hall	§ 211.12(f.1)(4) (relating to nursing services)	05/15/2024	Granted
	§ 211.12(f.1)(5)	05/15/2024	Not Necessary
Providence Rehabilitation and Health Center at Mercy Fitzgerald	§ 205.27 (relating to lounge and recreation rooms)	05/20/2024	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care, the Division of Nursing Care Facilities or the Division of Home Health at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN
Acting Secretary

[Pa.B. Doc. No. 24-841. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Geisinger Medical Center	28 Pa. Code § 51.3(b)—(d) (relating to notification)
	28 Pa. Code § 101.31(5) and (6) (relating to hospital requirements)
	28 Pa. Code § 105.15 (relating to patient identification)
	28 Pa. Code § 107.64 (relating to administration of drugs)
	28 Pa. Code § 117.30(3) and (4) (relating to emergency paramedic services)
	28 Pa. Code § 153.1(a) and (c) (relating to minimum standards)
Lehigh Valley Hospital	28 Pa. Code § 133.21 (relating to facilities)
	28 Pa. Code § 133.31(a) (relating to policies and procedures)
Penn State Health Saint Joseph	28 Pa. Code § 136.11(a) and (b) (relating to director)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition, Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition, Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
Allegheny General Hospital	2.2-3.1.3.6(7)(a)(ii) treatment rooms and areas	22
Einstein Medical Center Montgomery	2.1-2.8.6.1 hand scrub facilities	22
Geisinger Community Medical Center	2.2-2.6.1.2(3) location	22
	2.2-2.6.2.2(2)(b) space requirements	22
Independence Health System Butler Memorial Hospital	2.1-2.2.9.3 medical gas and vacuum systems	22
Indiana Regional Medical Center	2.1-3.5.6.2 patient toilet room	22-O
Penn Highlands Connellsville	2.1-2.9.1 staff lounge facilities	22
	2.1-6.2.3.3(1) public toilet room	22-O
	2.5-2.2.8.17 conference room	22
	2.5-2.2.10.2(2)(b)(ii) social spaces	22
Penn Highlands Mon Valley	2.1-3.5.2.3(2)(a) handwashing station or hand scrub facilities	22-O
	2.1-3.5.9.4(1) and (2) staff changing area	22-O
	2.1-3.7.3 pre-procedure patient care room or area	22-O

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
	2.1-3.7.5 phase II recovery room or area	22-O
	2.1-7.2.3.1(6)(a)(ii) flooring and wall bases	22-O
	2.1-7.2.3.3(2)(a)—(c) ceilings	22-O
	2.1-8.2.1.2(1) general	22-O
	2.1-8.4.4 medical gas and vacuum systems	22-O
	2.1-8.5.1 call systems	22-O
Penn Presbyterian Medical Center	2.1-2.4.2.2(1)—(5) aII room requirements	22
	2.1-3.4.4.2 phase I post-anesthetic care unit (PACU)	22
Saint Clair Hospital	2.1-2.4.3.9(1)(c) special design elements	22
Thomas Jefferson University Hospitals, Inc.	2.1-3.2.2.1(2)(a) space requirements	22
	2.1-7.2.2.3(2)(a)(i) doors and door hardware	22
UPMC Somerset	2.1-7.2.2.3(1)(a), (3)(b), (4)(a) and (5)(a)(i) and (ii) doors and door hardware	22-O
Wellspan Chambersburg Hospital	2.2-3.5.6.1(1)(a) ultrasound room	22
Wellspan Ephrata Community Hospital	2.1-8.4.4 medical gas and vacuum systems	22
Wilkes-Barre General Hospital	2.1-2.8.6.1 hand scrub facilities	22

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

² 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-842. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

The Pavilion at Saint Luke Village
1000 Stacie Drive
Hazleton, PA 18201
FAC ID # 455202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile

to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-843. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of Amendment for the Office of Long-Term Living's Home and Community-Based OBRA Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Long-Term Living's proposed amendment for the OBRA waiver. The proposed amendment will be effective January 1, 2025.

Background

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare & Medicaid Services for approval. The Department proposes the following substantive and technical changes to the OBRA waiver:

- Amend the following service definitions:
 - Benefits counseling.
 - Employment skills development.
 - Home adaptations.
 - Personal Emergency Response System.
- Add teleservices to the following services:
 - Cognitive rehabilitation.
 - Counseling services.
- Add the Home and Community-Based Services Consumer Assessment of Healthcare Providers and Systems survey as a patient experience of care/quality of life survey.
- Modify timeframe for filing for an appeal for waiver services to continue.
- Reduce the years of experience needed for structured day habilitation support staff to 2 years.
- Update Appendix G: Participant Safeguards to current process.
- Modify language throughout for better readability.
- Clarify when child abuse clearances are needed for direct care workers.

The proposed OBRA waiver amendment and a summary of all revisions are available for review at <https://www.pa.gov/en/agencies/dhs/departments-offices/otl-info/otl-waiver-amendments-renewals.html> or by contacting the Department's Office of Long-Term Living at (717) 857-3280.

Fiscal Impact

There is no direct fiscal impact associated with this notice.

Public Comment

Interested persons are invited to submit written comments regarding the proposed amendment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Keeley Anglin—OBRA Waiver Amendment, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments can also be sent to RA-waiverstandard@pa.gov. Use "OBRA Waiver Amendment" as the subject line. Comments received within 30 days will be considered in subsequent revisions to the proposed amendment.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers at (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1635. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 24-844. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of Renewal for the Office of Long-Term Living's Home and Community-Based Community HealthChoices Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Long-Term Living's proposed renewal for the Community HealthChoices (CHC) waiver. The proposed renewal will be effective January 1, 2025. The Department proposes the following substantive and technical changes to the CHC waiver:

- Amend the following service definitions:
 - Benefits counseling.
 - Employment skills development.
 - Home adaptations.
 - Telecare.
- Add teleservices to the following services:
 - Cognitive rehabilitation.
 - Counseling services.
- Add Chore Services as a new waiver service.
- Remove references to the organized health care delivery system and the participant review tool.
- Modify timeframes for developing and implementing person-centered service plans.
- Reduce the years of experience needed for structured day habilitation support staff to 2 years.
- Update Appendix G: Participant Safeguards to the current process.
- Update the quality strategy to current process.
- Modify language throughout for better readability.
- Clarify when child abuse clearances are needed for direct care workers.

Background

To continue receiving Federal matching funds for Home and Community-Based Services (HCBS) waiver services, the Centers for Medicare & Medicaid Services (CMS) requires that existing HCBS waivers be renewed every 5 years. See 42 CFR 430.25(h)(2)(i) (relating to waivers of State plan requirements). The proposed CHC waiver renewal is to be submitted to CMS by no later than October 3, 2024.

The proposed CHC waiver renewal and a summary of all revisions are available for review at <https://www.pa.gov/en/agencies/dhs/departments-offices/oltil-info/oltil-waiver-amendments-renewals.html> or by contacting the Department's Office of Long-Term Living at (717) 857-3280.

Fiscal Impact

There is no direct fiscal impact associated with this notice.

Public Comment

Interested persons are invited to submit written comments regarding the proposed waiver renewal to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Keeley Anglin—CHC Waiver Renewal, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments may also be submitted to the Department at RA-waiverstandard@pa.gov. Use "CHC Waiver Renewal" in the subject line. Comments received within 30 days will be reviewed and considered for revisions to the proposed waiver renewal.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers at (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1634. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 24-845. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Prevailing Wage Appeals Board; Verizon Pennsylvania, LLC and Verizon North, LLC; Doc. No. PWAB-1G-2024

Notice to Potential Interested Parties

This serves to provide notification, under 34 Pa. Code § 213.8(e) (relating to grievances arising from administration of the act), that the Prevailing Wage Appeals Board (Board) received a grievance in the previously referenced matter regarding application of the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17) to broadband expansion work performed by Verizon Pennsylvania, LLC and Verizon North, LLC on Broadband Infrastructure Program projects, as part of the Verizon Statewide Project—PA Group 75, in the counties of Centre, Clearfield, Jefferson, Pike, Somerset and Warren. A copy of this grievance can be obtained by contacting Gina Meckley, Administrative Assistant to the Board, (717) 783-9276, gmeckley@pa.gov.

Persons claiming a right to intervene or an interest of the nature that intervention is necessary or appropriate

to the administration of the act, should file a petition to intervene under 1 Pa. Code §§ 35.27—35.32 (relating to intervention) by Monday, July 1, 2024.

Petitions to intervene shall be filed electronically with Gina Meckley, Administrative Assistant to the Board, at gmeckley@pa.gov. Copies of all petitions to intervene shall be served on counsel of the parties of record as follows:

Verizon Pennsylvania, LLC *Bureau of Labor Law
and Verizon North, LLC* *Compliance*

James S. Urban, Esquire
Jones Day
500 Grant Street
Suite 4500
Pittsburgh, PA 15219
jsurban@jonesday.com

Justin Romano
Deputy Chief Counsel
Office of Chief Counsel
Department of Labor and
Industry
651 Boas Street, 10th Floor
Harrisburg, PA 17121
jusromano@pa.gov

Answers to petitions to intervene shall be filed electronically with Gina Meckley, Administrative Assistant to the Board, at gmeckley@pa.gov by Thursday, July 11, 2024.

NANCY WALKER,
Secretary

[Pa.B. Doc. No. 24-846. Filed for public inspection July 14, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

**Receipt of Applications for Funding under the
Section 5310 Program Fiscal Year 2024-2025**

The Department of Transportation, Bureau of Public Transportation, under the authority in section 1(d) of the Federal Transit Laws (49 U.S.C. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program (Program). The application will open on Monday, July 1, 2024, and is due by the close of business on Wednesday, July 31, 2024. The 5310 private nonprofit (PNP) application instructions can be found under 5310 Program Resources at <https://www.penndot.pa.gov/Doing-Business/Transit/InformationandReports/Documents/5310%20Resources/5310%20PNP%20Applicant%20Instructions.pdf>.

Under this Program, PNP organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles used to provide transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers.

Additional Program guidelines and general information on how to apply can be obtained by calling or e-mailing Samuel Plocinski, Bureau of Public Transportation, (717) 214-9757, splocinski@pa.gov.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-847. Filed for public inspection June 14, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission; 2025 Statewide Transportation Improvement Program Public Comment Period

The State Transportation Commission (Commission), the Department of Transportation (Department) and the Commonwealth's Metropolitan Planning Organization (MPO) and the Rural Planning Organization (RPO) invite the public to review and comment on the draft 2025 Statewide Transportation Improvement Program (STIP). The public comment period for the draft 2025 STIP will be held from June 18, 2024, through July 3, 2024.

The draft 2025 STIP consists of a list of prioritized projects identified for funding by Federal fiscal year and includes Transportation Improvement Programs (TIP) as

adopted by each MPO and RPO, as well as Wayne County, the Interstate Management Program and State-wide Initiatives TIPs.

The draft 2025 STIP will be available from June 18, 2024, through July 3, 2024, at <https://talkpatransportation.com/how-it-works/stip>. Individuals can comment by filling out the online comment form at [TalkPATransportation.com](https://talkpatransportation.com) or by e-mailing RA-PennDOTSTC@pa.gov. The public may also call the Department and share their comments at (717) 783-2262. Individuals who have other questions or challenges should contact the Department's Bureau of Equal Opportunity to request help by e-mailing beodot@pa.gov or calling (717) 787-5891, TTY (711).

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-848. Filed for public inspection June 14, 2024, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Previously Disapproved</i>			
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-66	Bureau of Professional and Occupational Affairs Consideration of Criminal Convictions	06/03/24	06/20/24

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 24-849. Filed for public inspection June 14, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Apollo Mutual Fire Insurance Company

Friends Cove Mutual Insurance Company, a Pennsylvania property and casualty mutual insurance company, has filed an application to acquire control of Apollo Mutual Fire Insurance Company, a Pennsylvania property mutual insurance company. The filing was received on June 3, 2024, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1414).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements must be e-mailed to Lori Rumpf, lrumpf@pa.gov. Comments re-

ceived will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-850. Filed for public inspection June 14, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Phillipsburg SNF OpCo, LLC

Phillipsburg SNF OpCo, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Heritage Ridge Senior Living at Windy Hill in Philipsburg, PA. The initial filing was received on June 4, 2024, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Author-

ity are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-851. Filed for public inspection June 14, 2024, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following document during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-24-013, Dated April 24, 2024. Authorizes a side letter between the Commonwealth of Pennsylvania and AFSCME regarding an incentive program for certain employees within the Department of Revenue, Bureau of Audits, who obtain and maintain their CPA licensure.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 24-852. Filed for public inspection June 14, 2024, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Assessment Approvals for PENNVEST Funding Consideration

Scope: Clean Water and Drinking Water State Revolving Fund Projects for consideration at the July 17, 2024, meeting of the Pennsylvania Infrastructure Investment Authority (PENNVEST) Board.

Description: PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is

intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant comments are received during this comment period, the Environmental Assessments will be considered approved and funding for the projects will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, July 15, 2024. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Written comments can also be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

Comments received during the comment period, along with the Department's comment and response document will be available on the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx.

Upon approval, the full list of approved projects and their costs can be found in a press release on PENNVEST's web site at www.pennvest.pa.gov.

For more information about the approval of the following Environmental Assessments or the CWSRF and DWSRF Programs contact Dharmendra Kumar, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-3377, dkumar@pa.gov, or visit the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx.

CWSRF Projects Being Considered:

<i>Applicant:</i>	Township of Cranberry
<i>County:</i>	Butler
<i>Applicant Address:</i>	2525 Rochester Road Suite 400 Cranberry Township, PA 16066

Project Description: The existing autothermal thermophilic aerobic digestion (ATAD) system at the Brush Creek Wastewater Treatment Facility (WWTF) will be replaced with an anaerobic solids handling system. During the replacement of the solids handling process other ancillary portions of the plant will be repaired/replaced as part of the scope of work. The project consists of constructing two new anaerobic digesters with control building and waste gas flare, installing additional waste sludge holding facilities, demolishing the existing ATAD, installing a new post digestion sludge storage tank, constructing a new solids processing building with two centrifuges and appurtenances and demolishing two existing belt filter presses and appurtenances. The project also includes other ancillary improvements to the influent pump station and primary clarifiers as well as grit handling, existing waste sludge holding and odor control systems.

Problem Description: The current ATAD system and additional waste sludge holding facilities at the Brush Creek WWTF are neither efficient nor capable of managing future treatment flows. Cranberry Township has invested significant resources studying the most cost-effective method of not only providing adequate capacity, but also providing a solids handling system to meet both future growth and regulatory requirements.

<i>Applicant:</i>	Windber Area Authority
<i>County:</i>	Somerset
<i>Applicant Address:</i>	1700 Stockholm Avenue Windber, PA 15963

Project Description: Windber Area Authority (WAA) owns and operates the Ingleside Sewage Treatment Plant (STP) located in Richland Township, Cambria County. The proposed project includes constructing a new ATAD system, including, but not limited to: two reactor basins; a biofilter basin with scrubber; an equipment building with pumps; blowers; a drum thickener and other necessary appurtenances; associated piping, including proposed 4-inch and 6-inch ductile iron discharge lines; and site work necessary to integrate the new facilities into the existing STP. Also included is replacing the following existing equipment at the Ingleside Sequencing Batch Reactor (SBR) plant: two sludge pumps; the decanter actuator and limit switches at four SBR basins; the effluent water pumping system; fine bubble air diffuser membranes within the four SBR basins and at two sludge aerobic digester tanks; the belt filter press polymer feed system; and upgrades to the SBR plant main control panel. Additive alternate price proposals will be sought for replacement of diffuser holders, air piping and accessories in one of the SBR basins and in one of the aerobic digesters, replacement of the belt filter press and replacement of the emergency power generator.

Problem Description: The STP currently utilizes two aerobic digestion tanks and a 1.5-meter belt filter press. Sludge leaving the belt filter press ranges from 10%—14% solids and does not meet the Environmental Protection Agency biosolids classification of Class A or Class B. Therefore, the sludge must be disposed of at a landfill. The rapidly increasing cost to dispose of sludge by landfill has led WAA to the decision of pursuing the addition of an ATAD system for the STP, which is anticipated to achieve a total solids reduction of 40% or greater and process the sludge to achieve Class A designation. WAA could then give away the Class A biosolids instead of disposal by landfill.

<i>Applicant:</i>	Shinglehouse Borough
<i>County:</i>	Potter
<i>Applicant Address:</i>	103 North Pleasant Street Shinglehouse, PA 16748

Project Description: Shinglehouse Borough is proposing to demolish the primary clarifier, final clarifier and trickling filter. These will be replaced by a two-channel oxidation ditch process with a pre-anaerobic reactor tank for biological treatment and two new final clarifiers.

Problem Description: Shinglehouse Borough provides sewer collection and wastewater treatment to the Borough in Potter County. The existing WWTF was constructed in 1966. The facility's process equipment has

reached the end of its useful life and the current trickling filter treatment process will not reliably meet some of the new effluent limitations.

<i>Applicant:</i>	Martins Community, LLC
<i>County:</i>	Chester
<i>Applicant Address:</i>	25 Randy Lane Cochranville, PA 19330

Project Description: Martins Community, LLC proposes to replace the existing aging wastewater treatment plant (WWTP) in West Nottingham Township, Chester County with a new treatment plant adjacent to the existing facility. The proposed treatment plant will provide influent flow equalization, combined carbon oxidation nitrification denitrification, chemical feed for phosphorus precipitation and tertiary filtration followed by ultraviolet disinfection. The proposed plant will provide additional capacity to facilitate operation and to provide for possible future expansion. The plant effluent will be discharged through the existing outfall pipe which conveys effluent to the receiving stream. The existing WWTP will be decommissioned as part of the project.

Problem Description: The existing WWTP is aging and the facility is becoming increasingly difficult and costly to maintain.

DWSRF Projects Being Considered:

<i>Applicant:</i>	Pennsylvania American Water Company
<i>County:</i>	Washington
<i>Applicant Address:</i>	300 Galley Road McMurray, PA 15317

Project Description: The Pennsylvania American Water Company is proposing the Avella Road (State Route (SR) 50) waterline extension project. This project includes installing approximately 35,000 linear feet (LF) of 8-inch ductile iron waterline and all the required appurtenances along SR 50 in Cross Creek, Independence and Mount Pleasant Townships, Washington County. The waterline extension project includes 14 stream crossings impacting Cross Creek, tributaries to Cross Creek and tributaries to South Fork Cross Creek. Cross Creek, South Fork Cross Creek and their tributaries are designated under 25 Pa. Code Chapter 93 (relating to water quality standards) as High Quality Waters, Warm Water Fishes (WWF). The waterline will be installed by the open-cut method and the limit of disturbance is approximately 8.6 acres.

Problem Description: The proposed project is necessary to provide public water to several Washington County communities and the Avella Area School District, which relies on a well for all its water needs including fire protection. The addition of a public water system will provide safe drinking water to the community and greatly enhance the Avella Fire Department's ability to fight fire and protect the school district and surrounding areas. A secure and abundant water supply will allow the Avella Fire Department to better focus their efforts on the manpower and equipment necessary to effectively perform their duties.

<i>Applicant:</i>	Pennsylvania American Water Company
<i>County:</i>	Washington
<i>Applicant Address:</i>	300 Galley Road McMurray, PA 15317

Project Description: The proposed Old Steubenville Pike and Campbell Road waterline extension project includes the installation of approximately 15,700 LF of 4-inch through 8-inch diameter waterline by open-cut and horizontal directional drill methods and all the required appurtenances in Robinson and Smith Townships, Washington County. Pennsylvania American Water Company would design, permit, finance and construct the replacement of the new waterline. The project area consists of the Department of Transportation and municipal road right-of-ways, as well as seven stream crossings. Project area streams and unnamed tributaries are designated under 25 Pa. Code Chapter 93 for protected use for WWF.

Problem Description: The project is necessary to provide public water to several Washington County communities who currently rely on private wells for all their water needs. Many residents have complained of poor water quality or wells running dry and there is often low water pressure. Gaining access to public water supply will greatly enhance the quality of life for the residents of the community affected by this issue.

<i>Applicant:</i>	Mercersburg Water Authority
<i>County:</i>	Franklin
<i>Applicant Address:</i>	113 South Main Street Mercersburg, PA 16667

Project Description: This project consists of the construction of two separate water treatment facilities within the Mercersburg Water Authority's public water system. The first facility will treat water from the existing Zimm Well and the Buck Run Well. This facility will be rated for the full combined capacity of the two wells of approximately 150 gallons per minute (gpm) and will contain systems for caustic soda addition, sodium hypochlorite addition, chlorine contact time, pressure filtration, backwash recycling, finished water booster pumps and orthophosphate addition for general corrosion control. The second facility will treat approximately 150 gpm of water from the new Park Avenue Well and will contain systems for raw water straining, softening, nitrate removal, orthophosphate addition, sodium hypochlorite addition and chlorine contact time. This project also includes construction of a 300,000-gallon finished water storage tank and a 500-gpm booster pump station to deliver water from the new Park Avenue Well treatment facility.

Problem Description: The Mercersburg Water Authority entered into a Consent Order and Agreement (COA) with the Department on September 10, 2020, following numerous violations of the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17). The COA required the Mercersburg Water Authority to prepare and submit to the Department an Existing Facilities and Treatment Alternative Study which outlined methods for compliance, the costs of those methods and the Mercersburg Water Authority's plan for achieving compliance. The two new treatment plants included in this application represent the Mercersburg Water Authority's chosen methods of

compliance and will allow the Mercersburg Water Authority to provide an adequate supply of safe and potable water to its users.

<i>Applicant:</i>	Johnsonburg Municipal Authority
<i>County:</i>	Elk
<i>Applicant Address:</i>	601 Market Street Johnsonburg, PA 15845

Project Description: The proposed project consists of installing a linear waterline from its current terminus, north, along Route 219 to Johnsonburg Elementary School and replacing a waterline on Rose and Grove Streets. The extension includes approximately 9,300 LF of 12-inch waterline, 460 feet of 6-inch waterline along SR 219 and Launer Drive, 46 new 1/4-inch water service connections, 6 new 2-inch water service connections and 1 4-inch water service connection to the Johnsonburg Elementary School. Work on Rose and Grove Streets includes replacing approximately 2,200 LF of antiquated asbestos cement waterline and 52 water service connections in the existing service area.

Problem Description: This project is necessary to provide public water to the Johnsonburg Elementary School and surrounding area that experience poor water quality and quantity. The Johnsonburg Elementary School (Public Water System ID 6240304) has experienced repeated violations due to poor water quality. The project also addresses aging infrastructure that is prone to leaks, flow restrictions and water quality issues.

JESSICA SHIRLEY,
Acting Secretary
Department of Environmental Protection
ROBERT H. BOOS,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 24-853. Filed for public inspection June 14, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2024-3049308. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to two active residential premises in Greene County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before July 1, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or they may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA

17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

Through and By Counsel for: Candis A. Tunilo, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, ctunilo@nisource.com; Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, tjgallagher@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-854. Filed for public inspection June 14, 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 July 1, 2024. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by July 1, 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 by searching under the docket number as follows or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2024-3048200. Time Away Transportation Services, LLC (102 Friendship Drive, Hawley, Wayne County, PA 18428) for the right to begin to transport, as a common carrier, by motor vehicle, persons on schedule, between the Borough of Honesdale, Wayne County and the Borough of Hawley, Wayne County, upon the following route: beginning at Main Street in the Borough of Honesdale (intersection of 12th Street), head southeast on Main Street, turn left on 4th Street (which then becomes Willow Avenue, which then becomes Texas Palmyra Highway, which then becomes Hudson Street, which then becomes Main Avenue in the Borough of Hawley, all of which are also commonly referred to as US-6 or Route 6) and return to start by the same route until reaching 4th

Street where the route will follow Church Street in the Borough of Honesdale, making a left on 12th Street, followed by another left on Main Street to resume from starting point.

A-2024-3048367. Driven Your Way, LLC (80 Quarry Road, Trailer 35, Kutztown, Berks County, PA 19530) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2024-3049065. Signature Style Limos, LLC (7415 Alma Street, Floor 1, Philadelphia, PA 19111) in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.*

A-2024-3048886. Barnett Unlimited, Inc. (302 2nd Avenue, Osceola Mills, Clearfield County, PA 16666) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Application of the following for approval to *begin operating as contract carriers for transportation of persons as described under the application.*

A-2024-3048747. Secure Transport, LLC (3342 Nichols Run Road, Jersey Shore, Lycoming County, PA 17740) to transport persons, in contract carrier service, for the University of Pittsburgh Medical Center, from points in the County of Lycoming, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-855. Filed for public inspection June 14, 2024, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than July 1, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-24-05-08. Bano Taxi, LLC (18 Heather Road, Upper Darby, PA 19082): An application for a

medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-24-05-09. Ali Khokhar, Inc. (604 Addison Way, Warrington, PA 18976): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 24-856. Filed for public inspection June 14, 2024, 9:00 a.m.]

**PUBLIC SCHOOL EMPLOYEES’
RETIREMENT BOARD**

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees’ Retirement Code), in connection with the Public School Employees’ Retirement System’s (System) denial of claimant’s request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees’ Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

October 9, 2024	Account of Joan Silvestri (Waive Actuarial Reduction)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4913 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,
Executive Director

[Pa.B. Doc. No. 24-857. Filed for public inspection June 14, 2024, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Shawn Good—Broiler Breeder Farm 426 Reward Road Millerstown, PA 17062	Perry County/ Greenwood Township	176.24	Broiler Breeder	New	Approved
Reinford Farms, Inc.—Home Farm & Cunningham Farm 505 Cedar Grove Road and 988 Cunningham Road Mifflintown, PA 17059	Juniata County/ Walker Township	586.2	Cattle	Amended	Approved

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Jonas King—Layer Farm 425 Center Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	60.9	Layers	New	Approved
Rushtown Poultry, LLC—Milan Farm 1194 Milan Road Milan, PA 18831	Bradford County/ Smithfield Township	188.4	Layers	New	Approved
Neil Zimmerman—Broiler Farm 204 Warren Road Lewisburg, PA 17837	Union County/ Kelly Township	142.88	Broilers	New	Approved

RUSSELL REDDING,
Chairperson

[Pa.B. Doc. No. 24-858. Filed for public inspection June 14, 2024, 9:00 a.m.]

END OF ISSUE

