



January 9, 2023

Amy Rankin  
Averys Fields HOA  
PO Box 2014  
Cranberry Twp, PA 16066-1014

Re: Joint Permit for Algicide, Herbicide or Fish Control Chemical  
Butler County Averys Fields Pond  
Permit No. 1013828  
Authorization ID No. 1414905  
Cranberry Township, Butler County

Dear Permittee:

Enclosed is your permit for the use of algicides, herbicides or fish control chemicals (“pesticides”) in Butler County. This permit is issued under the joint authority of the Pennsylvania Department of Environmental Protection (DEP) and the Pennsylvania Fish and Boat Commission (PFBC).

Your use of pesticides under this permit is subject to compliance with the conditions of the permit and any **Additional Requirements** noted in the permit. In addition, please note the following:

1. You should immediately cease your treatment(s) and contact the local Fish and Boat Commission Waterways Conservation Officer if you observe any unanticipated impacts to fish or other aquatic life as a result of your treatment(s).
2. You are required to use extreme caution and carefully follow the directions on the manufacturer’s label when using an algicide, herbicide or fish control chemical.
3. You are required to conduct algicide, herbicide or fish control chemical treatments in an environmentally safe manner.
4. The labels for some algicide, herbicide and fish control chemicals prescribe restricted usage of treated water for such things as drinking, swimming, watering livestock, irrigating and the consumption of fish. You must adhere to those restrictions.
5. If you use algicide, herbicide or fish control chemicals in areas open to the public, you are required to take appropriate actions to ensure public safety.
6. You must use appropriate safety practices at all times while storing, transporting, handling and applying any chemicals.
7. The permitted party is responsible for any damages caused by chemical usage, as well as complying with all applicable laws and regulations administered by the DEP and PFBC.

It is important that you understand the physical features of the water body, the various types of vegetation that are in and around the water, and the proper use of chemicals when using an algicide, herbicide or fish control chemical. If you do not have experience in aquatic pesticide control, DEP recommends that you utilize the services of a professional consultant.

**Please note that this joint permit does not expire.** However, in the event that any of the following changes are proposed, you must submit a new application to amend your joint permit:

- Changes to the water bodies being treated.
- Increases in the maximum dose or to the number of annual treatments for any water body.
- Changes in the pesticide(s) used for treatment, unless the new pesticide(s) contain the same active ingredient(s) and the same or lower percent composition of the ingredient in comparison to the pesticide(s) previously approved by DEP/PFBC.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), 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. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

**IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT 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 AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.**

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.**

If you have any questions, please call Joe Brancato at 814.332.6659.

Sincerely,

Justin C. Dickey

Justin C. Dickey, P.E.  
Environmental Program Manager  
Clean Water Program

Enclosures

cc: Aquatic Environmental Consultants Inc.