

# PENNSYLVANIA BULLETIN

Volume 50

Number 18

Saturday, May 2, 2020 • Harrisburg, PA

Pages 2245—2378

## Agencies in this issue

The Courts

Delaware River Basin Commission

Department of Agriculture

Department of Banking and Securities

Department of Community and Economic  
Development

Department of Environmental Protection

Department of Health

Department of Revenue

Game Commission

Health Care Cost Containment Council

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

State Board of Cosmetology

State Board of Vehicle Manufacturers, Dealers  
and Salespersons

Susquehanna River Basin Commission

**Detailed list of contents appears inside.**



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

**No. 546, May 2020**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

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

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

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

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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

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

Copyright © 2020 Commonwealth of Pennsylvania

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

# CONTENTS

## THE COURTS

### DISCIPLINARY BOARD OF THE SUPREME COURT

Current schedule of continuing legal education courses required for reinstatement under §§ 89.275 and 89.279 of the Disciplinary Board rules..... 2256

### MINOR COURT CIVIL RULES

Order amending Rules 209, 304, 403, 410, 503, 515 and 516 of the Pennsylvania Rules of Civil Procedure governing actions and proceedings before magisterial district judges; No. 442 magisterial rules doc..... 2252

## EXECUTIVE AND INDEPENDENT AGENCIES

### DELAWARE RIVER BASIN COMMISSION

#### Notices

Public hearing and business meeting..... 2280

### DEPARTMENT OF AGRICULTURE

#### Notices

Standards and requirements for the Conservation Excellence Grant Program..... 2282

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications..... 2285

### DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

#### Notices

Extended citizen comment period for the draft 2020 Annual Action Plan..... 2285

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Air Quality Technical Advisory Committee special virtual meeting..... 2340

Applications, actions and special notices..... 2287

Availability of technical guidance..... 2341

Environmental Justice Advisory Board virtual meeting..... 2341

Household Hazardous Waste Education Grant Award under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988..... 2342

Mining and Reclamation Advisory Board; Regulation, Legislation and Technical Committee virtual meeting..... 2342

### DEPARTMENT OF HEALTH

#### Notices

Long-term care nursing facilities; requests for exception..... 2342

## DEPARTMENT OF REVENUE

### Notices

Pennsylvania Jewel Heist fast play game 5085 ..... 2343  
Pennsylvania SKEE-BALL® fast play game 5086 ... 2348

### GAME COMMISSION

#### Rules and Regulations

Hunting and trapping; big game (2 Documents)..... 2264, 2265

Hunting and trapping; furbearers..... 2268

Hunting and trapping; hunting hours..... 2269

Hunting and trapping; small game..... 2272

Lands and buildings; state game lands..... 2257

Seasons and bag limits..... 2258

Special permits; deer control..... 2273

Special permits; guiding permit..... 2274

Special permits; Mentored Hunting Program permit .2276

#### Proposed Rulemaking

Lands and buildings; state game lands..... 2279

### HEALTH CARE COST CONTAINMENT COUNCIL

#### Notices

Meeting scheduled..... 2354

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Notice of filing of final rulemaking..... 2354

### INSURANCE DEPARTMENT

#### Notices

COVID-19 guidance regarding temporary individual resident producer licensure; notice 2020-12..... 2354

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Natural gas service..... 2355

Service of notice of motor carrier applications..... 2356

Service of notice of motor carrier formal complaints. 2356

Water service..... 2376

### STATE BOARD OF COSMETOLOGY

#### Notices

Bureau of Professional and Occupational Affairs v. James W. Sanders; case No. 18-45-008868..... 2376

### STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

#### Notices

Bureau of Professional and Occupational Affairs v. Shannon L. Fink; case No. 19-60-010334..... 2376

### SUSQUEHANNA RIVER BASIN COMMISSION

#### Notices

Public hearing..... 2376

---

Available Online at <http://www.pabulletin.com>

---

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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

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

### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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

# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2020.

**4 Pa. Code (Administration)**

**Adopted Rules**  
 1 ..... 902

**Statements of Policy**  
 9 ..... 328, 546, 915, 1118, 1551

**7 Pa. Code (Agriculture)**

**Adopted Rules**  
 150 ..... 1836

**25 Pa. Code (Environmental Protection)**

**Adopted Rules**  
 86 ..... 1508  
 87 ..... 1508  
 88 ..... 1508  
 89 ..... 1508  
 90 ..... 1508  
 806 ..... 1931

**Proposed Rules**  
 250 ..... 1011

**28 Pa. Code (Health and Safety)**  
**Adopted Rules**  
 26 ..... 1352

**31 Pa. Code (Insurance)**  
**Proposed Rules**  
 168 ..... 798

**34 Pa. Code (Labor and Industry)**  
**Adopted Rules**  
 91 ..... 792  
 93 ..... 792  
 95 ..... 792

**40 Pa. Code (Liquor)**  
**Proposed Rules**  
 5 ..... 1650

**49 Pa. Code (Professional and Vocational Standards)**  
**Adopted Rules**  
 35 ..... 1838  
 43b ..... 1354

**Proposed Rules**  
 25 ..... 1364  
 39 ..... 668

**52 Pa. Code (Public Utilities)**  
**Adopted Rules**  
 77 ..... 469

**Statements of Policy**  
 41 ..... 1695  
 69 ..... 1652

**55 Pa. Code (Human Services)**  
**Statements of Policy**  
 41 ..... 1695

**58 Pa. Code (Recreation)**

**Adopted Rules**  
 63 ..... 1526  
 69 ..... 1527  
 119 ..... 1246  
 135 ..... 2257  
 139 ..... 2258  
 141 ..... 2264, 2265, 2268, 2269, 2272  
 147 ..... 2273, 2274, 2276

**Proposed Rules**  
 63 ..... 1247  
 131 ..... 1549  
 135 ..... 1372, 1549, 2279  
 139 ..... 1373  
 141 ..... 1379, 1380, 1384, 1385  
 147 ..... 1387, 1390

**61 Pa. Code (Revenue)**  
**Adopted Rules**  
 876 ..... 1528

**67 Pa. Code (Transportation)**  
**Adopted Rules**  
 601 ..... 545

**201 Pa. Code (Rules of Judicial Administration)**  
**Adopted Rules**  
 6 ..... 2174  
 7 ..... 2012

**204 Pa. Code (Judicial System General Provisions)**  
**Adopted Rules**  
 27 ..... 1344  
 33 ..... 1108  
 71 ..... 641, 1239, 2012  
 82 ..... 2077, 2174  
 83 ..... 197, 2013  
 85 ..... 647  
 91 ..... 647  
 93 ..... 647, 648, 651

**Proposed Rules**  
 83 ..... 642  
 85 ..... 642  
 89 ..... 642  
 91 ..... 642  
 93 ..... 642

**207 Pa. Code (Judicial Conduct)**  
**Adopted Rules**  
 33 ..... 7, 197, 1239

**210 Pa. Code (Appellate Procedure)****Adopted Rules**

1	505, 535
3	505
5	505
7	505
9	505, 535
11	535
13	505, 535
15	505
16	505
17	505, 535
19	505
23	535
27	505
33	505, 535
37	651
63	2013
69	657

**Proposed Rules**

3	303
19	304

**231 Pa. Code (Rules of Civil Procedure)****Adopted Rules**

200	198, 306
400	199
1000	199
Part II	306

**246 Pa. Code (Minor Court Civil Rules)****Adopted Rules**

200	2252
300	2252
400	2252
500	2252

**249 Pa. Code (Philadelphia Rules)**

Unclassified	788, 1503
--------------	-----------

**252 Pa. Code (Allegheny County Rules)**

Unclassified	307
--------------	-----

**255 Pa. Code (Local Court Rules)**

Unclassified	199, 200, 667, 790, 904, 912, 913, 914, 1114, 1115, 1116, 1350, 1503, 1504, 1505, 1506, 1647, 1648, 1827, 1829, 2014, 2018, 2019
--------------	--

# THE COURTS

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[ 246 PA. CODE CHS. 200, 300, 400 AND 500 ]

**Order Amending Rules 209, 304, 403, 410, 503, 515 and 516 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges; No. 442 Magisterial Rules Doc.**

#### Order

*Per Curiam*

And Now, this 17th day of April, 2020, upon the recommendation of the Minor Court Rules Committee, the proposal having been published for public comment at 49 Pa.B. 1900 (April 20, 2019):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 209, 304, 403, 410, 503, 515, and 516 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on September 1, 2020.

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

##### Rule 209. Continuances and Stays.

\* \* \* \* \*

E. Continuances and stays shall be granted in compliance with federal or state law, such as the Servicemembers Civil Relief Act[ ., 50 App. U.S.C. § 501 et seq. ] , 50 U.S.C. §§ 3901 et seq.

**Official Note:** This rule was amended in 2005 to consolidate the provisions of former Rules 320 (relating to continuances in civil actions) and 511 (relating to continuances in possessory actions) into one general rule governing continuances. The limitations set forth in subdivision C are intended to ensure that these cases proceed expeditiously. The grounds set forth in subdivisions D and E, of course, are not intended to be the only grounds on which a continuance will be granted.

#### CHAPTER 300. CIVIL ACTION

##### Rule 304. Form of Complaint.

A. The complaint shall be made in writing on a form [ which shall be ] prescribed by the State Court Administrator.

B. [ The complaint shall be signed by the plaintiff or plaintiff’s agent and verified as follows:

**The facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.**

\_\_\_\_\_  
Signature

C. ] The complaint shall set forth:

(1) The names and addresses of the parties.

(2) The amount claimed.

(3) A brief and concise statement of the facts upon which the claim is based including:

(a) the date, time and place of the occurrence and a brief description of the damages sustained when the claim alleges tortious conduct; or

**[ Official Note: A civil action in which the claim alleges tortious conduct was formerly called an action in trespass. ]**

(b) the date of the transaction and a brief description of the subject matter when the claim is contractual;

**[ Official Note: A civil action in which the claim is contractual was formerly called an action in assumpsit. ]**

(c) the date and description of the occurrence when the claim is for a civil fine or penalty and the citation to the statute authorizing the claim.

(4) Such other information as shall be required on the complaint form.

**C. The complaint shall be signed by the plaintiff or plaintiff’s agent and verified as follows:**

**The facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.**

\_\_\_\_\_  
Signature

**D. For every individual defendant, the plaintiff or plaintiff’s agent shall attach an affidavit to the complaint indicating that the defendant is in the military service, that the defendant is not in the service, or that the plaintiff is unable to determine whether or not the defendant is in the service.**

**Official Note:** Rule 304 is designed to promote uniformity, simplification of procedure, and better access by the public to the judicial services of magisterial district judges. The use of a form will help to accomplish this purpose and will also provide easier statistical and other administrative control by the Supreme Court. The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. See Rule 217.

**A civil action that alleges tortious conduct was formerly called an action in trespass. A civil action in which the claim is contractual was formerly called an action in assumpsit.**

**Subdivision D requires the plaintiff to affirm if the defendant is or is not in the military service, or**



if the defendant's military service status is unknown. This information is required to ensure that an eligible defendant receives the protections afforded by the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 et seq. The affidavit shall be made in writing on a form prescribed by the State Court Administrator.

**CHAPTER 400. ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT JUDGES FOR THE PAYMENT OF MONEY**

**Rule 403. Issuance and Reissuance of Order of Execution.**

\* \* \* \* \*

*Official Note:* Under subdivision A, the order may be executed by the sheriff of the county in which the office of the issuing magisterial district judge is situated, as well as by any certified constable in that county.

If payment of the judgment was ordered to be made in installments under Rule 323, the magisterial district judge should not issue an order of execution on the judgment unless it appears that there was a default in the installment payments.

Subdivision B will permit the reissuance of an order of execution upon a **timely-filed** written request of the plaintiff [ **timely filed** ]. Compare Pa.R.C.P. No. 3106(b). The written request for reissuance may be in any form and may consist of a notation on the permanent copy of the request for order of execution form, "Reissuance of order of execution requested," subscribed by the plaintiff. The magisterial district judge shall mark all copies of the reissued order of execution, "Reissued. Request for reissuance filed \_\_\_\_\_ (time and date)." A new form may be used upon reissuance, those portions retained from the original being exact copies although signatures may be typed or printed with the mark "/s/." There are no filing costs for reissuing an order of execution, for the reissuance is merely a continuation of the original proceeding. However, there may be additional server costs for service of the reissued order of execution.

The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act[ ., 50 App. U.S.C. § 501 et seq. ], 50 U.S.C. §§ 3901 et seq.

**Rule 410. Stay of Execution Generally.**

\* \* \* \* \*

*Official Note:* Compare Pa.R.C.P. No. 3121(a). Other rules in this chapter may also provide for a stay in specific circumstances covered by those rules. The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act[ ., 50 App. U.S.C. § 501 et seq. ], 50 U.S.C. §§ 3901 et seq.

**CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY**

**Rule 503. Form of Complaint.**

A. The complaint shall be made in writing on a form [ **which shall be** ] prescribed by the State Court Administrator.

B. [ **The complaint shall be signed by the plaintiff or plaintiff's agent and verified as follows:**

The facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature

C. ] The complaint shall set forth:

- (1) The names and addresses of the parties.
- (2) The location and the address, if any, of the real property possession of which is sought to be recovered.
- (3) That the plaintiff is the landlord of that property.
- (4) That [ **he** ] **the plaintiff** leased or rented the property to the defendant or to some other person under whom the defendant claims.
- (5) That notice to remove was given to the defendant in accordance with law, or that no notice was required under the terms of the lease.
- (6) That—
  - (a) the term for which the property was leased or rented is fully ended, or
  - (b) a forfeiture has resulted by reason of a breach of the conditions of the lease, or
  - (c) rent reserved and due has, upon demand, remained unsatisfied.
- (7) That the defendant retains the real property and refuses to give up possession of the property.

(8) The amount of rent, if any, [ **which** ] **that** remains due and unpaid on the date the complaint is filed and whatever additional rent shall remain due and unpaid at the date of the hearing, and the amount of damages, if any, claimed for injury to or unjust detention of the real property.

**C. The complaint shall be signed by the plaintiff or plaintiff's agent and verified as follows:**

The facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature

**D. For every individual defendant, the plaintiff or plaintiff's agent shall attach an affidavit to the complaint indicating that the defendant is in the military service, that the defendant is not in the service, or that the plaintiff is unable to determine whether or not the defendant is in the service.**

*Official Note:* As in the other rules of civil procedure for magisterial district judges, the complaint will be on a printed form. The filings required by this rule are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. See Rule 217. As to notice to remove, the form will simply state that such a notice, when required, was given to the defendant in accordance with law. See § 501 of the Landlord and Tenant Act, 68 P.S. § 250.501, as amended by § 2(a) of the Judiciary Act Repealer Act, Act of April 28, 1978, P.L. 202, No. 53, 42 P.S. § 20002(a).

In subdivision [ C(8) ] B(8) the landlord is permitted to claim, in addition to the specific amount of rent due and

unpaid at the date of filing, whatever unspecified amount of rent will remain due and unpaid at the date of the hearing. As to claiming damages for injury to property, compare Pa.R.C.P. No. 1055.

**Subdivision D requires the plaintiff to affirm if the defendant is or is not in the military service, or if the defendant's military service status is unknown. This information is required to ensure that an eligible defendant receives the protections afforded by the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 et seq. The affidavit shall be made in writing on a form prescribed by the State Court Administrator.**

See Act of January 24, 1966, P.L.(1965) 1534, § 1, as amended by Act of August 11, 1967, P.L. 204, No. 68, § 1, Act of June 11, 1968, P.L. 159, No. 89, § 2, 35 P.S. § 1700-1, which states that "no tenant shall be evicted for any reason whatsoever while rent is deposited in escrow" because the dwelling in question has been certified as unfit for human habitation by the appropriate city or county agency. It seems appropriate to leave the matter of evidencing or pleading such a certification or lack thereof to local court of common pleas rules.

\* \* \* \* \*

#### Rule 515. Request for Order for Possession.

A. If the magisterial district judge has rendered a judgment arising out of a non-residential lease that the real property be delivered up to the plaintiff, the plaintiff may, after the 15th day following the date of the entry of the judgment, file with the magisterial district judge a request for an order for possession. The request shall include a statement of the judgment amount, return, and all other matters required by these rules.

B.(1) Except as otherwise provided in [ **subparagraph (2)** ] **subdivision B(2)**, if the magisterial district judge has rendered a judgment arising out of a residential lease that the real property be delivered up to the plaintiff, the plaintiff may after the 10th day but within 120 days following the date of the entry of the judgment, file with the magisterial district judge a request for an order for possession. The request shall include a statement of the judgment amount, return, and all other matters required by these rules.

(2) In a case arising out of a residential lease, if before the plaintiff requests an order for possession,

(a) an appeal or writ of *certiorari* operates as a *supersedeas*; or

(b) proceedings in the matter are stayed pursuant to a bankruptcy proceeding **or other federal or state law**; and

(c) the *supersedeas* or **the bankruptcy or other** stay is subsequently stricken, dismissed, lifted, or otherwise terminated so as to allow the plaintiff to proceed to request an order for possession,

the plaintiff may request an order for possession only within 120 days of the date the *supersedeas* or **the** bankruptcy **or other** stay is stricken, dismissed, lifted, or otherwise terminated.

**Official Note:** The [ **fifteen** ] **15** days in subdivision A of this rule, when added to the [ **16 day** ] **16-day** period provided for in Rule 519A, will give the defendant time to obtain a *supersedeas* within the appeal period. See Rules 1002, 1008, 1009, and 1013.

The 1995 amendment to section 513 of The Landlord and Tenant Act of 1951, 68 P.S. § 250.513, established a [ **ten-day** ] **10-day** appeal period from a judgment for possession of real estate arising out of a residential lease; therefore, the filing of the request for **an** order for possession in [ **subparagraph** ] **subdivision B(1)** is not permitted until after the appeal period has expired. In cases arising out of a residential lease, the request for **an** order for possession generally must be filed within 120 days of the date of the entry of the judgment.

**The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 et seq.**

[ **Subparagraph** ] **Subdivision B(2)** provides that in a case arising out of a residential lease, if a *supersedeas* (resulting from an appeal or writ of *certiorari*) or bankruptcy **or other** stay is stricken, dismissed, lifted, or otherwise terminated, thus allowing the plaintiff to proceed with requesting an order for possession, the request may be filed only within 120 days of the date the *supersedeas* or **the** bankruptcy **or other** stay is stricken, dismissed, lifted, or otherwise terminated.

The time limits in which the plaintiff must request an order for possession imposed in subdivision B apply only in cases arising out of residential leases and in no way affect the plaintiff's ability to execute on the money judgment. See Rule 516, Note, and Rule 521A.

At the time the plaintiff files the request for an order for possession, the magisterial district court should collect server fees for all actions through delivery of possession. Thereafter, if the order for possession is satisfied 48 hours or more prior to a scheduled delivery of possession, a portion of the server costs may be refundable. See Rules 516 through 520 and [ **Section 2950(d) of the Judicial Code, 42 Pa.C.S. § 2950(d)** ] **44 Pa.C.S. § 7161(d)**.

#### Rule 516. Issuance and Reissuance of Order for Possession.

A. Upon the timely filing of the request form, the magisterial district judge shall issue the order for possession and shall deliver it for service and execution to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. The order shall direct the officer executing it to deliver actual possession of the real property to the plaintiff. The magisterial district judge shall attach a copy of the request form to the order for possession.

B.(1) Except as otherwise provided in subdivision C, upon written request of the plaintiff the magisterial district judge shall reissue an order for possession for one additional [ **60 day** ] **60-day** period.

(2) If an order for possession is issued and subsequently superseded by an appeal, writ of *certiorari*, *supersedeas*, or a stay pursuant to a bankruptcy proceeding **or other federal or state law**, and

(a) the appeal, writ of *certiorari*, or *supersedeas* is stricken, dismissed, or otherwise terminated; or

(b) the bankruptcy **or other** stay is lifted; and

(c) the plaintiff wishes to proceed with the order for possession,

the plaintiff must file with the magisterial district judge a written request for reissuance of the order for possession in accordance with [ **subparagraph (1)** ] **subdivision B(1)**.

C. In a case arising out of a residential lease, a request for reissuance of an order for [ **Possession** ] **possession** may be filed only within 120 days of the date of the entry of the judgment or, in a case in which the order for possession is issued and subsequently superseded by an appeal, writ of *certiorari*, *supersedeas*, or a stay pursuant to a bankruptcy [ **Proceeding** ] **proceeding or other federal or state law**, only within 120 days of the date the appeal, writ of *certiorari*, or *supersedeas* is stricken, dismissed, or otherwise terminated or the bankruptcy **or other** stay is lifted.

D. A written request for reissuance of the order for possession, filed after an appeal, writ of *certiorari*, or *supersedeas* is stricken, dismissed, or otherwise terminated, or a bankruptcy **or other** stay is lifted, must be accompanied by a copy of the court order or other documentation striking, dismissing, or terminating the appeal, writ of *certiorari*, or *supersedeas*, or lifting the bankruptcy **or other** stay.

**Official Note:** The order for possession deals only with delivery of possession of real property and not with a levy for money damages. A plaintiff who seeks execution of the money judgment part of the judgment must proceed under Rule 521A, using the forms and procedure there prescribed. The reason for making this distinction is that the printed notice requirements on the two forms, and the procedures involved in the two matters, differ widely.

Subdivision B provides for reissuance of the order for possession for one additional [ **60 day** ] **60-day** period. However, pursuant to subdivision C, in cases arising out of a residential lease, the request for reissuance of the order for possession must be filed within 120 days of the date of the entry of the judgment or, in a case in which the order for possession is issued and subsequently superseded by an appeal, writ of *certiorari*, *supersedeas* or a stay pursuant to a bankruptcy [ **Proceeding** ] **proceeding or other federal or state law**, only within 120 days of the date the appeal, writ of *certiorari*, or *supersedeas* is stricken, dismissed, or otherwise terminated, or the bankruptcy **or other** stay is lifted. The additional [ **60 day** ] **60-day** period need not necessarily immediately follow the original [ **60 day** ] **60-day** period of issuance. The written request for reissuance may be in any form and may consist of a notation on the permanent copy of the request for order for possession form, "Reissuance of order for possession requested," subscribed by the plaintiff. The magisterial district judge shall mark all copies of the reissued order for possession, "Reissued. Request for reissuance filed \_\_\_\_\_ (time and date)." A new form may be used upon reissuance, those portions retained from the original being exact copies although signatures may be typed or printed with the mark "/s/." There are no filing costs for reissuing an order for possession, for the reissuance is merely a continuation of the original proceeding. However, there may be additional server costs for service of the reissued order for possession.

**The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 et seq.**

The time limits in which the plaintiff must request reissuance of an order for possession imposed in subdivi-

sion C apply only in cases arising out of residential leases and in no way affect the [ **Plaintiff's** ] **plaintiff's** ability to execute on the money judgment. See Rule 521A.

## FINAL REPORT<sup>1</sup>

### Recommendation 1-2019, Minor Court Rules Committee

#### *Amendment of Pa.R.C.P.M.D.J. Nos. 209, 304, 403, 410, 503, 515, and 516*

#### Attachment of Non-military Service Affidavit to Complaint

##### I. Introduction

The Minor Court Rules Committee ("Committee") recommended amendments to Rules 209, 304, 403, 410, 503, 515, and 516 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges ("Rules"). These changes provide for the attachment of a non-military service affidavit to complaints in order to ensure that an eligible defendant receives the protections afforded by the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 *et seq.* ("Act").

##### II. Background and Discussion

The Committee received inquiries regarding the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 *et seq.* ("Act"). Specifically, the Committee was asked how the Act's requirement that a plaintiff file an affidavit regarding the defendant's military service with a court prior to the entry of a default judgment was addressed in the Rules. Under the Act, in any civil action or proceeding in which the defendant does not make an appearance, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit stating whether or not the defendant is in military service, or that the plaintiff is unable to determine whether or not the defendant is in military service. See 50 U.S.C. § 3931(b)(1). The plaintiff's affidavit must state facts supporting the assertions regarding the defendant's military status. *Id.* The Act also provides protections for servicemembers in landlord tenant matters. See 50 U.S.C. § 3951.

The definition of "court" under the Act is defined broadly enough to encompass the magisterial district courts. "The term 'court' means a court or administrative agency of the United States or of any State (including any political subdivision of a State), whether or not a court or administrative agency of record." See 50 U.S.C. § 3911(5). However, current procedural rules for the magisterial district courts do not address attaching an affidavit regarding military service to the complaint, request for entry of judgment, or request for order of possession. The only current references to the Act in the Rules are in Rules 209 (Continuances and Stays), 403 (Order of Execution), and 410 (Stay of Execution). These rules cross-reference the Act as a basis for stays, but do not address the affidavit set forth in the Act.

The Committee considered how to implement the requirements of the Act. It determined that requiring the plaintiff to attach the affidavit to the complaint was the best way to ensure compliance with the Act, as the court will have the affidavit before entering a default judgment for the plaintiff if the defendant does not appear at the hearing. Additionally, under Rule 319B, there are circumstances where the magisterial district judge may enter judgment for the plaintiff, even if neither party appears

<sup>1</sup> The Committee's Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Official Notes or the contents of the explanatory Final Reports.

for the hearing. Having the affidavit prior to the hearing will permit the magisterial district court to move forward with the default judgment without having to obtain it belatedly from the plaintiff.

### III. Rule Changes

Rules 304D and 503C are amended to require a plaintiff to attach an affidavit to the complaint setting forth facts that the defendant is in military service, that the defendant is not in the service, or that the plaintiff is unable to determine whether or not the defendant is in the service. Rules 515 and 516 are amended to parallel existing references to stays pursuant to federal and state law in Rules 403 and 410. Finally, statutory references in Rules 209, 403, 410, and 515 were updated and stylistic changes were made throughout the Rules.

[Pa.B. Doc. No. 20-590. Filed for public inspection May 1, 2020, 9:00 a.m.]

---

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Current Schedule of Continuing Legal Education Courses Required for Reinstatement under §§ 89.275 and 89.279 of the Disciplinary Board Rules

Disciplinary Board Rule § 89.279 provides that a formerly admitted attorney who has been disbarred or suspended for more than one year or on administrative suspension, retired status or inactive status for more

than three years shall within one year preceding the filing of the petition for reinstatement take courses meeting the requirements of the current schedule published by the Executive Office.

Evidence that a formerly admitted attorney has attended the required courses and lectures or has viewed videotapes of them shall be considered in determining whether the formerly admitted attorney possesses the required competency and learning in law, but shall not be conclusive on the issue.

#### *Schedule Effective April 15, 2020*

Every formerly admitted attorney who petitions for reinstatement under these rules shall take the following:

A minimum of thirty-six (36) hours of accredited PA CLE courses with a minimum twelve (12) of those hours in the area of Ethics. Pursuant to the April 15, 2020 Order of the Supreme Court addressing distance learning limitations, until further notice, there is no limit on the number of credits that may be taken in pre-approved, interactive, Internet, or computer-based CLE programs.

Any petitions filed on or after December 1, 2011, by formerly admitted attorneys who have been disbarred or suspended for more than one year shall include the Bridge the Gap course taken through an accredited PA CLE provider as part of the thirty-six hours of credits.

*Note:* Accredited PA CLE courses taken for reinstatement may be used to meet CLE requirements once reinstated.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 20-591. Filed for public inspection May 1, 2020, 9:00 a.m.]

---

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 135 ]

#### Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 135.53 (relating to operation of mobility devices and motor vehicles on designated routes) to expand all-terrain vehicle (ATV) eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required “25 MPH Vehicle” decal.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1372 (March 7, 2020).

#### 1. Purpose and Authority

Former regulations required that any ATV used as a mobility device must be registered (only) with the Department of Conservation and Natural Resources. The Commission has learned that certain ATVs that are additionally defined as “neighborhood electric vehicles” and registered with the Department of Transportation, cannot be dual registered with the Department of Conservation and Natural Resources. This restriction had the unfortunate effect of excluding otherwise eligible ATVs from being utilized as mobility devices by the mere fact that the device is properly registered with another Commonwealth agency. The Commission amends § 135.53 to expand ATV eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required “25 MPH Vehicle” decal.

Section 721(a) of the code (relating to control of property) provides “The administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the Director, and the Commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters.” The amendments to § 135.53 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 135.53 to expand ATV eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required “25 MPH Vehicle” decal.

#### 3. Persons Affected

Persons wishing to operate an ATV registered with the Department of Transportation as neighborhood electric vehicle and properly displaying a valid registration plate and the required “25 MPH Vehicle” decal on lands designated as State game lands may be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

#### 6. Effective Date

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

#### 7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 135, are amended by amending § 135.53 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-453 remains valid for the final adoption of the subject regulation.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 135. LANDS AND BUILDINGS

#### Subchapter C. STATE GAME LANDS

#### § 135.53. Operation of mobility devices and motor vehicles on designated routes.

Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may operate mobility devices and motor vehicles on designated routes subject to all of the following conditions:

\* \* \* \* \*

(3) *ATVs and snowmobiles as mobility devices.* An ATV or snowmobile used as a mobility device on a designated route must be registered with either:

(i) The Department of Conservation and Natural Resources and display the valid registration plate or registration decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV); or

(ii) The Department of Transportation as a neighborhood electric vehicle or NEV and display the valid registration plate and “25 MPH Vehicle” decal as required under 75 Pa.C.S. §§ 3592 and 3594 (relating to required equipment; and same treatment as passenger cars).

(4) *Spark arrestors required.* Mobility devices powered by an internal combustion engine must be equipped with a fully functional spark arrestor while operation on a designated route.

\* \* \* \* \*

[Pa.B. Doc. No. 20-592. Filed for public inspection May 1, 2020, 9:00 a.m.]

—————

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 139 ]

#### Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2020-2021 hunting/furtaking license year.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1373 (March 7, 2020).

#### 1. *Purpose and Authority*

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission amends § 139.4 to provide updated seasons and bag limits for the 2020-2021 license year. The 2020-2021 seasons and bag limits are amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

For small game, earlier opening dates are adopted for youth and regular squirrel seasons to increase opportunity on this underutilized species at a time when most other hunting seasons are closed. Also, WMUs 4E and 5A are opened to either-sex pheasant hunting (except within Wild Pheasant Recovery Areas) to maximize hunting opportunity for stocked pheasants.

Fall turkey season is decreased by 4 days in WMUs 4D and 4E in response to declining turkey population trends in these units. The Commission also increases the

Thanksgiving season from 2 days to 3 days, in a Wednesday through Friday format, within those WMUs where turkey populations can support this season.

For deer, a 14-day concurrent antlered and antlerless firearms season is adopted for WMUs 2B, 2C, 2D, 2E, 4A, 4B, 4D, 5A, 5C and 5D. All other remaining WMUs are returned to the split season format. Deer archery season is also extended by 5 additional days from November 16 through November 20 in most WMUs. As now authorized by statute, Sunday hunting for deer is adopted for one Sunday (November 15) during the Statewide archery season and one Sunday (November 29) during the Statewide firearms season.

Overall black bear seasons are adopted in similar fashion to those in 2019, but with two expansions. First, the 3-week Statewide archery season was expanded to include the prior week to include the overlap with muzzleloader and special firearms seasons to simplify regulations. Second, the Statewide firearms season is adopted to include the newly authorized third Sunday (November 22), but to close on Tuesday rather than Wednesday to accommodate a 1-day expansion in the Thanksgiving segment of the fall turkey season. Extended bear firearms season is also amended to begin on the first Monday of deer firearms season rather than the Saturday opener to avoid the confusion created by a one-day closure on Sunday, which is open for deer hunting, but not bear hunting.

Expansions of bobcat hunting and trapping opportunity to WMU 2B, and of river otter trapping opportunity to WMUs 1A, 1B and 2F, are adopted considering population indices in these units that are comparable to those in other WMUs where harvest is occurring sustainably. For beaver, an increase in the season bag limit from 40 to 60 is adopted for WMUs 1A and 1B in response to increasing nuisance complaints in these units.

No elk have ever been harvested in the extended elk season during the 9 years in which it has been in existence. To simplify regulations, elimination of this season is adopted for 2020.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking? . . .” The amendments to § 139.4 are adopted under this authority.

#### 2. *Regulatory Requirements*

This final-form rulemaking will amend § 139.4 to provide updated seasons and bag limits for the 2020-2021 hunting/furtaking license year.

#### 3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2020-2021 hunting/furtaking license year may be affected by this final-form rulemaking.

#### 4. *Comment and Response Summary*

The Commission received a total of 989 official comments concerning this final-form rulemaking. The comments received concerned the following subtopics:

*Deer Seasons:* Out of a total of 919 comments received concerning this subtopic: 84 supported and 259 opposed a Saturday opener for regular firearms deer season; 19

supported and 22 opposed hunting the Sunday following the Saturday opening of regular firearms deer season; 3 supported opening regular deer firearms season on the Saturday after Thanksgiving weekend; 7 supported and 1 opposed opening regular deer firearms season on Sunday after Thanksgiving; 38 supported hunting on the Sunday in the middle of the regular firearms deer season; 3 supported hunting the last Sunday of the regular firearms deer season; 29 supported and 133 opposed concurrent antlered/antlerless seasons; 4 supported the extending of the regular firearms deer season; 1 supported opening the regular firearms deer season earlier; 282 supported and 24 opposed extending archery season; 6 supported lengthening archery season; 2 opposed the length of deer archery season; 1 supported making muzzleloader and archery seasons concurrent; and 1 supported eliminating early muzzleloader and special firearms deer seasons.

*Turkey Seasons:* Out of a total of 11 comments received concerning this subtopic: 1 supported the WMU 2G proposal; 2 supported reducing season length in WMU 4C; 2 supported reducing season length in WMU 4D; 1 opposed reducing season length in WMU 4E; 1 supported eliminating the Thanksgiving season and replacing it with five days before bear season; 1 supported the turkey seasons as proposed; 1 supported extending the spring season; and 2 opposed opening the Wednesday before Thanksgiving.

*Bear Seasons:* Out of a total of 26 comments were received concerning this subtopic: 10 supported the new bear muzzleloader season; 1 supported extending the bear muzzleloader season; 6 supported the muzzleloader bear season; 1 supported and 1 opposed the extended bear season being concurrent with regular firearms deer season; 2 supported bear archery season; 2 supported opening bear season during archery deer season and regular firearms deer season; 1 opposed the number of bear seasons; 1 supported the creation of a spring bear season; and 1 supported the three-day bear season be moved to October.

*Small Game Seasons:* A total of 21 comments were received concerning this subtopic: 10 supported starting squirrel season earlier; 1 supported running from fall opener to February close unbroken; 1 supported closing hare season; 1 supported small game season as proposed; 3 supported opening pheasant season earlier, 1 supported opening grouse season on the first Saturday in November; 3 supported the post-Christmas season; and 1 supported closing grouse season completely.

*Furbearer Seasons:* A total of 12 comments were received concerning this subtopic: 1 supported otter season on WMU 2F; 1 supported creating a mink hunting season; 1 supported extending fisher trapping season; 2

supported creating a fisher hunting season; 1 supported extending raccoon season; 1 supported opening bobcat season on the Saturday following Martin Luther King; 1 supported closing bobcat season with the last day of fox/coon season; 2 supported opening bobcat season in WMU 2D; 1 supported opening bobcat season in WMU 1A; and 1 supported opening bobcat season after flintlock deer season.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective July 1, 2020, to June 30, 2021.

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.4 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall be effective July 1, 2020, to June 30, 2021.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-446 remains valid for the final adoption of the subject regulation.

## RULES AND REGULATIONS

## Annex A

## TITLE 58. RECREATION

## PART III. GAME COMMISSION

## CHAPTER 139. SEASONS AND BAG LIMITS

## § 139.4. Seasons and bag limits for the license year.

## 2020-2021 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrel—(Combined species) <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Sept. 12		Sept. 26	6	18
Squirrel—(Combined species) <sup>1</sup>	Sept. 12 Dec. 14 Dec. 26	and and	Nov. 27 Dec. 24 Feb. 27, 2021	6	18
Ruffed Grouse <sup>1</sup>	Oct. 17 Dec. 14	and	Nov. 27 Dec. 24	2	6
Rabbit, Cottontail— <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Oct. 3		Oct. 17	4	12
Rabbit, Cottontail <sup>1</sup>	Oct. 17 Dec. 14 Dec. 26	and and	Nov. 27 Dec. 24 Feb. 27, 2021	4	12
Ring-necked Pheasant—There is no open season for the taking of pheasants in the Franklin County Wild Pheasant Recovery Area.					
Ring-necked Pheasant—Male or Female <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Oct. 10		Oct. 17	2	6
Central Susquehanna Wild Pheasant Recovery Area—Male only <sup>1</sup>	As authorized by the Executive Order				
Ring-necked Pheasant—Male or Female <sup>1</sup>	Oct. 24 Dec. 14 Dec. 26	and and	Nov. 27 Dec. 24 Feb. 27, 2021	2	6
Bobwhite Quail <sup>1</sup>	Oct. 17 Dec. 14 Dec. 26	and and	Nov. 27 Dec. 24 Feb. 27, 2021	8	24
Hare (Snowshoe Rabbits) or Varying Hare <sup>1</sup>	Dec. 26		Jan. 1, 2021	1	3
Woodchuck (Groundhog) <sup>1</sup>	No closed season except during the regular firearms deer season(s).			Unlimited	

## TURKEY

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall—Male or Female <sup>1</sup> WMU 2B (Shotgun, Bow & Arrow only)	Oct. 31 Nov. 25	and	Nov. 20 Nov. 27	1	1
WMU 1B	Oct. 31		Nov. 7		



<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
WMUs 1A, 2A, 4A, 4B, 4D and 4E	Oct. 31		Nov. 14		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D and 4C	Oct. 31	and	Nov. 14		
	Nov. 25		Nov. 27		
WMU 2C	Oct. 31	and	Nov. 20		
	Nov. 25		Nov. 27		
WMU 5A	Nov. 5		Nov. 7		
WMU 5B	Nov. 3		Nov. 5		
WMUs 5C and 5D	Closed to fall turkey hunting				
Turkey, Spring Bearded Bird only, Eligible Junior Hunters only, with the required junior license	Apr. 24, 2021		Apr. 24, 2021	1	1
Turkey, Spring <sup>1,2</sup> Bearded Bird only	May 1, 2021	and	May 15, 2021	1	2
	May 17, 2021		May 31, 2021	May be hunted 1/2 hour before sunrise to 12 noon	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset

**MIGRATORY GAME BIRDS**

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year.

Exceptions:

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use statewide in hunting and taking of migratory waterfowl.
- (c) Hunting on Sunday not authorized.<sup>1</sup>

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Crow <sup>3</sup> (Hunting permitted on Friday, Saturday and Sunday only)	July 3		Apr. 11, 2021	Unlimited	
Starling and English Sparrow <sup>3</sup>	No closed season except during the regular firearms deer seasons.			Unlimited	

**FALCONRY**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrel—(Combined species) <sup>1</sup>	Sept. 1		Mar. 31, 2021	6	18
Quail <sup>1</sup>	Sept. 1		Mar. 31, 2021	8	24
Ruffed Grouse <sup>1</sup>	Sept. 1		Mar. 31, 2021	2	6
Cottontail Rabbits <sup>1</sup>	Sept. 1		Mar. 31, 2021	4	12
Snowshoe or Varying Hare <sup>1</sup>	Sept. 1		Mar. 31, 2021	1	3
Ring-necked Pheasant—Male <sup>1</sup> and Female—(Combined)	Sept. 1		Mar. 31, 2021	2	6
Migratory Game Bird <sup>1</sup> —Seasons and bag limits shall be in accordance with Federal regulations.					

## WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered & Antlerless) <sup>4,5</sup> With the required archery license WMUs 2B, 5C and 5D	Sept. 19 Sun. <sup>3</sup> , Nov. 15 Nov. 16 Dec. 26	and and and	Nov. 14 Sun. <sup>3</sup> , Nov. 15 Nov. 27 Jan. 23, 2021	One antlered deer, and an antlerless deer with each required and antlerless license.
Deer, Archery (Antlered & Antlerless) <sup>4,5</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 3 Sun. <sup>3</sup> , Nov. 15 Nov. 16 Dec. 26	and and and	Nov. 14 Sun. <sup>3</sup> , Nov. 15 Nov. 20 Jan. 18, 2021	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Muzzleloading (Antlerless only) <sup>1</sup> With the required muzzleloading license (Statewide)	Oct. 17		Oct. 24	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders, <sup>6</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard (Statewide)	Oct. 22		Oct. 24	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered & Antlerless) <sup>4,5</sup> WMUs 2B, 2C, 2D, 2E, 4A, 4B, 4D, 5A, 5C and 5D	Nov. 28 Sun. <sup>3</sup> , Nov. 29 Nov. 30	and and	Nov. 28 Sun. <sup>3</sup> , Nov. 29 Dec. 12	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) <sup>4,5</sup> WMUs 1A, 1B, 2A, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4C, 4E and 5B	Nov. 28 Sun. <sup>3</sup> , Nov. 29 Nov. 30	and and	Nov. 28 Sun. <sup>3</sup> , Nov. 29 Dec. 4	One antlered deer.
Deer, Regular firearms (Antlered & Antlerless) <sup>1,4</sup> WMUs 1A, 1B, 2A, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4C, 4E and 5B	Dec. 5		Dec. 12	One antlered deer and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>1,4</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26		Jan. 18, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>1,4</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26		Jan. 23, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) <sup>1</sup> Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26		Jan. 23, 2021	An antlerless deer with each required antlerless license.
Deer, Antlerless <sup>1</sup> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

**BLACK BEAR**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>		<i>Season Limit</i>
Bear, Archery <sup>1,7</sup> WMUs 2B, 5C and 5D	Sept. 19		Nov. 27		1
Bear, Archery <sup>1,7</sup> WMU 5B	Oct. 3		Nov. 14		1
Bear, Archery <sup>1,7</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 17		Nov. 7		1
Bear, Muzzleloader <sup>1,7</sup> (Statewide)	Oct. 17		Oct. 24		1
Bear, Special firearms <sup>7</sup> Only Junior and Senior License Holders <sup>6</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard (Statewide)	Oct. 22		Oct. 24		1
Bear, Regular Firearms <sup>5,7</sup> (Statewide)	Nov. 21 Sun. <sup>3</sup> , Nov. 22 Nov. 23	and and	Nov. 21 Sun. <sup>3</sup> , Nov. 22 Nov. 24		1
Bear, Extended firearms <sup>1,7</sup> WMUs 2B, 5B, 5C and 5D	Nov. 30		Dec. 12		1
Bear, Extended firearms <sup>1,7</sup> WMUs 1B, 2C, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 30		Dec. 5		1

**ELK**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>		<i>Season Limit</i>
Elk, Special Conservation Tag <sup>1,8</sup> and Special-License Tag <sup>1,8</sup> (Antlered and Antlerless)	Sept. 1		Nov. 7		1
Elk, Archery <sup>1,8</sup>	Sept. 12		Sept. 26		1
Elk, Regular <sup>8</sup> (Antlered and Antlerless)	Nov. 2		Nov. 7		1
Elk, Late <sup>1,8</sup> (Antlerless only)	Jan. 2, 2021		Jan. 9, 2021		1

**FURTAKING—TRAPPING**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Mink and Muskrat	Nov. 21		Jan. 10, 2021	Unlimited	
Beaver WMUs 1A and 1B (Combined) WMUs 2A, 2B and 3C (Combined) WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined) WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)	Dec. 19		Mar. 31, 2021	20 20 20 5	60 40 20 5
Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel	Oct. 25		Feb. 21, 2021	Unlimited	
Coyote and Fox Use of cable restraint devices authorized with required certification	Dec. 26		Feb. 21, 2021	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 19		Jan. 10, 2021	1	1

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Fisher, with required fisher permit WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 19		Jan. 3, 2021	1	1
River Otter, with required otter permit WMUs 1A, 1B, 2F, 3C and 3D	Feb. 13, 2021		Feb. 20, 2021	1	1

**FURTAKING—HUNTING**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyote—(Outside of any big game season) <sup>3</sup>	May be taken with a hunting license or a furtaker's license.			Unlimited	
Coyote—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.			Unlimited	
Opossum, Striped Skunk, Weasel <sup>1</sup>	No closed season.				
Fox <sup>3</sup>	Oct. 24		Feb. 20, 2021	Unlimited	
Raccoon <sup>1</sup>	Oct. 24		Feb. 20, 2021	Unlimited	
Bobcat, with required bobcat permit <sup>1</sup> WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 9, 2021		Feb. 3, 2021	1	1
Porcupine <sup>1</sup>	Oct. 10		Jan. 30, 2021	3	10

No open seasons on other wild birds or wild mammals.

<sup>1</sup> No hunting on Sunday authorized. *See* 34 Pa.C.S. § 2303 (relating to hunting on Sunday prohibited).

<sup>2</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>3</sup> Hunting on Sunday is authorized. *See* 34 Pa.C.S. § 2303.

<sup>4</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>5</sup> Hunting on Sunday authorized on separately delineated Sunday date only. *See* 34 Pa.C.S. § 2303.

<sup>6</sup> Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>7</sup> Only one bear may be taken during the hunting license year with the required bear license.

<sup>8</sup> Only one elk may be taken during the hunting license year with the required elk license.

[Pa.B. Doc. No. 20-593. Filed for public inspection May 1, 2020, 9:00 a.m.]

**Title 58—RECREATION****GAME COMMISSION****[ 58 PA. CODE CH. 141 ]****Hunting and Trapping; Big Game**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 141.41 (relating to general) to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1379 (March 7, 2020).

**1. Purpose and Authority**

Outside of Special regulations areas, former regulations prohibited hunters from harvesting a subsequent deer before they have lawfully tagged each successive deer harvested. This restriction was intended to prevent waste of this Commonwealth's wildlife resources by causing hunters to follow up on shots and promote recovery of mortally wounded deer before an attempt to harvest subsequent animals. However, this restriction has also been observed to force hunters to pass up additional harvest opportunities that occur contemporaneous to the first as they are fleeing and certainly diminish with the noise and movement associated with tagging activities for the previous harvest. Special regulations areas have historically been exempted from this requirement and the Commission has not been aware that any significant problems have resulted from its absence. The Commission amends § 141.41 to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.41 are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 141.41 to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

3. *Persons Affected*

Persons wishing to hunt or take white-tailed deer within this Commonwealth may be affected by this final-form rulemaking.

4. *Comment and Response Summary*

The Commission received a total of 12 official comments regarding this final-form rulemaking. Four comments were in support and eight were in opposition of allowing a hunter to take multiple deer before tagging.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

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

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.41 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURNHAS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-450 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter C. BIG GAME**

**§ 141.41. General.**

It is unlawful to:

(1) Fail, within 10 days of the kill, to complete the report card supplied with the hunting license for reporting big game killed and mail the report card to the Commission in Harrisburg or by any other method designated by the Director.

(2) Receive a DMAP permit without reporting in the manner prescribed on the permit.

(3) Possess an expired, fulfilled, revoked, suspended or invalid big game harvest tag or hunting license while engaged in hunting or trapping activities.

[Pa.B. Doc. No. 20-594. Filed for public inspection May 1, 2020, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 141 ]**

**Hunting and Trapping; Big Game**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended §§ 141.43, 141.44 and 141.47 (relating to deer seasons; bear seasons; and elk seasons) to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. The Commission also amended § 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S. § 2706.2 (relating to elk hunting licenses).

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1380 (March 7, 2020).

1. *Purpose and Authority*

During the 2019 fall hunting season, the Commission received a significant number of inquiries from the public concerning what arms and ammunition were lawful for users during the overlap of the archery deer season and its overlap with the muzzleloader bear season. Current regulations generally prohibit the possession of firearms during the deer archery season and archery tackle is not listed as a lawful device for muzzleloader bear seasons. In

an effort to clarify these issues and provide greater opportunity during these overlap seasons, the Commission amends §§ 141.43, 141.44 and 141.47 to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. It is important to note that the Commission's expansion of the list for allowable devices for deer and bear muzzleloading seasons was not extended to deer flintlock muzzleloading season. The Commission also amends § 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S. § 2706.2.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to "promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used." The amendments to §§ 141.43, 141.44 and 141.47 are adopted under this authority.

### 2. Regulatory Requirements

This final-form rulemaking amends §§ 141.43, 141.44 and 141.47 to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. This final-form rulemaking also amends § 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S. § 2706.2.

### 3. Persons Affected

Persons wishing to hunt or take white-tailed deer, bear or elk within this Commonwealth may be affected by this final-form rulemaking.

### 4. Comment and Response Summary

The Commission received a total of one official comments regarding this final-form rulemaking. The one comment supported allowing archery hunters to be permitted to carry a muzzleloading firearm for muzzleloading bear season.

### 5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

### 6. Effective Date

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

### 7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.43, 141.44 and 141.47 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-454 remains valid for the final adoption of the subject regulations.

## Annex A

### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 141. HUNTING AND TRAPPING

#### Subchapter C. BIG GAME

#### § 141.43. Deer seasons.

##### (a) Archery deer season.

(1) *Permitted devices.* It is lawful to hunt deer during the archery deer season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting deer during the archery deer season, it is unlawful to:

##### (i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery deer season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery and muzzleloader deer seasons and the late archery and flintlock muzzleloading deer seasons if that person is in possession of both a valid archery deer license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery deer season and muzzleloader bear season if that person is in possession of both a valid archery deer license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(b) *Flintlock muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the flintlock muzzleloading deer season with a flintlock muzzleloading firearm. The firearm must be an original or similar reproduction of muzzleloading firearm manufactured prior to 1800. The firearm's ignition mechanism must consist of a hammer containing a naturally occurring stone that is spring propelled onto an iron or steel frizzen which, in turn, creates sparks to ignite a priming powder. The firearm must have open or aperture sights and be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(2) *Prohibitions.* While hunting deer during the flintlock muzzleloading deer season, it is unlawful to:

(i) Use manmade materials attached to the hammer or frizzen to create sparks.

(ii) Use telescopic sights.

(iii) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(iv) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(c) *Muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the muzzleloading deer season with any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting deer during the muzzleloading deer season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act, except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

\* \* \* \* \*

§ 141.44. **Bear seasons.**

(a) *Archery bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the archery bear season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be

equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting bear during the archery bear season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery bear season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery and muzzleloader bear seasons if that person is in possession of a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery bear season and muzzleloader deer season if that person is in possession of both a valid bear license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

(b) *Muzzleloading bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the muzzleloading bear season with any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting bear during the muzzleloading bear season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

\* \* \* \* \*

§ 141.47. **Elk seasons.**

(a) *Archery elk season.*

(1) *Permitted devices.* It is lawful to hunt elk during the archery elk season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 45 pounds. An arrow must be equipped

with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting elk during the archery elk season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery elk season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader deer season if that person is in possession of both a valid elk license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader bear season if that person is in possession of both a valid elk license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

(b) Regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License.

(1) *Permitted devices.* It is lawful to hunt elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License with any of the following devices:

(i) A manually operated, centerfire rifle or handgun. The firearm must be a .26 caliber or larger firearm that propels single-projectile ammunition 120 grains or larger.

(ii) A manually operated or semiautomatic, centerfire shotgun. The firearm must be a 12 gauge or larger firearm that propels single-projectile ammunition.

(iii) A muzzleloading firearm. The firearm must be .50 caliber or larger single-barrel firearm that propels single-projectile ammunition 210 grains or larger.

(iv) A bow and arrow as permitted under subsection (a)(1)(i).

(v) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than that required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

[Pa.B. Doc. No. 20-595. Filed for public inspection May 1, 2020, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 141 ]

#### Hunting and Trapping; Furbearers

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 141.62 (relating to beaver and otter trapping) to increase the number of authorized body-gripping traps from 10 to 20 in any Wildlife Management Unit (WMU) where beaver bag limits are 60 per season.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1384 (March 7, 2020).

#### 1. Purpose and Authority

The Commission has recently observed a notable increase in beaver populations and beaver-related complaints in WMUs 1A and 1B. As a result, the Commission is seeking to increase harvest success rates in these WMUs in an effort to better control the beaver population and resulting beaver-human conflicts. The Commission has previously adopted an amendment to § 139.4 (relating to seasons and bag limits for the license year) to increase the beaver bag limit in these WMUs from 40 to 60. The Commission also amended § 141.62 to increase the number of authorized body-gripping traps to 20 in any WMU where beaver bag limits are 60 per season. Beaver trappers will still be limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any WMU with an open otter trapping season during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season.



Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to § 141.62 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 141.62 to increase the number of authorized body-gripping traps from 10 to 20 in any WMU where beaver bag limits are 60 per season.

3. Persons Affected

Persons wishing to trap or take beavers in any WMU where beaver bag limits are 60 per season may be affected by this final-form rulemaking.

4. Comment and Response Summary

The Commission received only one comment regarding this final-form rulemaking. The comment generally supported allowing use of the number of body-gripping traps equal to daily harvest for beaver, but was not specific to the WMUs that the Commission is targeting.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

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

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.62 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the Pennsylvania Bulletin.

BRYAN J. BURHANS, Executive Director

Fiscal Note: Fiscal Note 48-447 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.62. Beaver and otter trapping.

\* \* \* \* \*

(b) Unlawful acts. It is unlawful to:

\* \* \* \* \*

(3) Set body-gripping traps larger than 10 inches in height by 12 inches in width.

(4) Set, tend or operate any number of traps or snares for beaver trapping in excess of the limits established by this paragraph.

(i) Beaver trappers are generally limited to a combined Statewide total of 20 traps or snares, no more than 10 of which may be traps. No more than 2 of the 10 traps may be body-gripping traps, except:

(A) In Wildlife Management Units where beaver bag limits are 40 per season, all 10 traps may be body-gripping traps.

(B) In Wildlife Management Units where beaver bag limits are 60 per season, all 20 traps or snares may be body-gripping traps.

(ii) Beaver trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit with an open otter trapping season. This limitation is inclusive of any otter traps or snares set under paragraph (7). This limitation is applicable during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season and shall extend for 5 additional consecutive days after the close of the otter season.

\* \* \* \* \*

[Pa.B. Doc. No. 20-596. Filed for public inspection May 1, 2020, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[ 58 PA. CODE CH. 141 ]

Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 141.4, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2020-2021 hunting/furtaking license year.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1385 (March 7, 2020).

1. *Purpose and Authority*

The Commission amended § 141.4, Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2020-2021 hunting/furtaking license year.

Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.4, Appendix G are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2020-2021 hunting/furtaking license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2020-2021 hunting/furtaking license year may be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking is effective July 1, 2020, to June 30, 2021.

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending §§ 141.4, Appendix G to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-448 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter A. GENERAL**

**§ 141.4. Hunting hours.**

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

\* \* \* \* \*

**Appendix G. HUNTING HOURS**

**HUNTING HOURS TABLE FOR JUNE 28, 2020, THROUGH JULY 3, 2021**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
June 28—July 4	5:08	9:03
July 5—11	5:12	9:00
July 12—18	5:17	8:56
July 19—25	5:23	8:50
July 26—Aug. 1	5:30	8:44
Aug. 2—8	5:38	8:36
Aug. 9—15	5:43	8:26
Aug. 16—22	5:49	8:16
Aug. 23—29	5:56	8:06
Aug. 30—Sept. 5	6:03	7:55
Sept. 6—12	6:09	7:43
Sept. 13—19	6:16	7:32
Sept. 20—26	6:23	7:20
Sept. 27—Oct. 3	6:29	7:09
Oct. 4—10	6:36	6:58
Oct. 11—17	6:44	6:47
Oct. 18—24	6:51	6:38
Oct. 25—31	6:59	6:29
Nov. 1—7 **Ends	6:07	5:21
Nov. 8—14	6:15	5:15
Nov. 15—21	6:23	5:10
Nov. 22—28	6:31	5:07
Nov. 29—Dec. 5	6:37	5:05

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Dec. 6—12	6:43	5:06
Dec. 13—19	6:48	5:08
Dec. 20—26	6:51	5:09
Dec. 27—Jan. 2	6:52	5:17
Jan. 3—9	6:53	5:24
Jan. 10—16	6:52	5:25
Jan. 17—23	6:49	5:33
Jan. 24—30	6:45	5:41
Jan. 31—Feb. 6	6:40	5:49
Feb. 7—13	6:33	5:57
Feb. 14—20	6:24	6:06
Feb. 21—27	6:15	6:14
Feb. 28—March 6	6:06	6:22
March 7—13	5:54	7:29
March 14—20 *Begins	6:43	7:37
March 21—27	6:32	7:44
March 28—Apr. 3	6:21	7:51
April 4—10	6:09	7:58
April 11—17	5:58	8:05
April 18—24	5:48	8:12
April 25—May 1	5:38	8:19
May 2—May 8	5:29	8:27
May 9—15	5:21	8:33
May 16—22	5:14	8:40
May 23—29	5:09	8:46
May 30—June 5	5:05	8:52
June 6—12	5:02	8:57
June 13—19	5:02	9:00
June 20—26	5:04	9:03
June 27—July 3	5:07	9:03

\*Daylight Saving Time Begins

\*\*Ends

**MIGRATORY GAME BIRD HUNTING HOURS  
TABLE FOR JUNE 28, 2020,  
THROUGH JULY 3, 2021**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
June 28—July 4	5:08	8:33
July 5—11	5:12	8:30
July 12—18	5:17	8:26
July 19—25	5:23	8:20
July 26—Aug. 1	5:30	8:14
Aug. 2—8	5:38	8:06
Aug. 9—15	5:43	7:56
Aug. 16—22	5:49	7:46
Aug. 23—29	5:56	7:36
Aug. 30—Sept. 5	6:03	7:25
Sept. 6—12	6:09	7:13

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Sept. 13—19	6:16	7:02
Sept. 20—26	6:23	6:50
Sept. 27—Oct. 3	6:29	6:39
Oct. 4—10	6:36	6:28
Oct. 11—17	6:44	6:17
Oct. 18—24	6:51	6:08
Oct. 25—31	6:59	5:59
Nov. 1—7 **Ends	6:07	4:51
Nov. 8—14	6:15	4:45
Nov. 15—21	6:23	4:40
Nov. 22—28	6:31	4:37
Nov. 29—Dec. 5	6:37	4:35
Dec. 6—12	6:43	4:36
Dec. 13—19	6:48	4:38
Dec. 20—26	6:51	4:39
Dec. 27—Jan. 2	6:52	4:47
Jan. 3—9	6:53	4:54
Jan. 10—16	6:52	4:55
Jan. 17—23	6:49	5:03
Jan. 24—30	6:45	5:11
Jan. 31—Feb. 6	6:40	5:19
Feb. 7—13	6:33	5:27
Feb. 14—20	6:24	5:36
Feb. 21—27	6:15	5:44
Feb. 28—March 6	6:06	5:52
March 7—13	6:54	6:59
March 14—20 *Begins	6:43	7:07
March 21—27	6:32	7:14
March 28—April 3	6:21	7:21
April 4—10	6:09	7:28
April 11—17	5:58	7:35
April 18—24	5:48	7:42
April 25—May 1	5:38	7:49
May 2—8	5:29	7:57
May 9—15	5:21	8:03
May 16—22	5:14	8:10
May 23—29	5:09	8:16
May 30—June 5	5:05	8:22
June 6—12	5:02	8:27
June 13—19	5:02	8:30
June 20—26	5:04	8:33
June 27—July 3	5:07	8:33

\*Daylight Saving Time Begins

\*\*Ends

[Pa.B. Doc. No. 20-597. Filed for public inspection May 1, 2020, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 141 ]

#### Hunting and Trapping; Small Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 141.29 (relating to hunting mourning doves over managed fields) to eliminate the September 15 cutoff date for the manipulation of an agricultural crop or other feed.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1379 (March 7, 2020).

#### 1. Purpose and Authority

It has historically been unlawful to hunt mourning doves on or over lands or areas where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed after the September 15 cutoff date each license year. This restriction was intended to minimize baiting conflicts for hunters pursuing species other than doves, which remains unlawful to hunt in lands or areas affected by such manipulation. For example, hunting waterfowl over a manipulated crop field remains prohibited by both State and Federal law notwithstanding the authorization for the hunting of mourning doves. However, the Commission has also observed that the September 15 cutoff date disallows a significant degree of flexibility for weather and planting related delays in the maturation and proper drying of the vegetation planting in the crop fields. This has resulted in instances of lost hunting opportunities and wasted investments in these areas prepared and intended for mourning dove hunting. The Commission amends § 141.29 to eliminate the September 15 cutoff date for the manipulation of an agricultural crop or other feed.

Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.29 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 141.29 to eliminate the September 15 cutoff date for the manipulation of an agricultural crop or other feed.

#### 3. Persons Affected

Persons wishing to hunt or take mourning dove or other game or wildlife in the vicinity of a managed dove field may be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

#### 6. Effective Date

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

#### 7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.29 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-449 remains valid for the final adoption of the subject regulation.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 141. HUNTING AND TRAPPING

#### Subchapter B. SMALL GAME

#### § 141.29. Hunting mourning doves over managed fields.

(a) *Limited hunting authorized.* In accordance with the authorization in 50 CFR 20.21 (relating to what hunting methods are illegal), it is lawful to hunt mourning doves on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

(b) *Nonapplication.* This section shall not be construed to authorize the hunting of any other species of wildlife in an area where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed.

(c) *Definition.* For the purposes of this section, “manipulation” means the alteration of natural vegetation or agricultural crops by activities that include mowing, shredding, discing, rolling, chopping, trampling, flattening, burning or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed or other feed after removal from or storage on the field where grown.

[Pa.B. Doc. No. 20-598. Filed for public inspection May 1, 2020, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 147 ]**

**Special Permits; Deer Control**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 147.674 (relating to issuance of DMAP harvest permits) to increase the number of Deer Management Assistance Program (DMAP) harvest permits that a person may receive for each DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1387 (March 7, 2020).

*1. Purpose and Authority*

A longstanding provision of the DMAP regulations has limited individual hunters to receiving no more than two DMAP permits for each unit or area enrolled in the program. The Commission has reviewed this limitation and determined that it may be unreasonably limiting private landowners from effectively using the program to harvest enough deer on their lands to meet their deer management goals. This issue has been raised by both DMAP users and Commission staff as part of an ongoing broad review of the DMAP and Red Tag programs. However, the Commission is equally cautious against moving too far towards privatizing access to antlerless deer harvest under the DMAP program and outside of the standard antlerless deer license allocations. Both external users and Commission staff agree that an increase in the number of DMAP permits per unit is warranted, except in certain areas designated by the Commission. The Commission amended § 147.674 to increase the number of DMAP harvest permits that a person may receive for each DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person. The Commission intends to designate DMAP units within large land areas that are sold over the counter and without coupons as the units that will remain at a maximum of two harvest permits per person. This in-

cludes State game lands and State forest lands and certain large tracts of private lands.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to § 147.674 are adopted under this authority.

*2. Regulatory Requirements*

This final-form rulemaking amends § 147.674 to increase the number of DMAP harvest permits that a person may receive for each DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

*3. Persons Affected*

Persons wishing to hunt or take white-tailed deer within this Commonwealth may be affected by this final-form rulemaking.

*4. Comment and Response Summary*

The Commission received a total of eight official comments regarding this final-form rulemaking. Two comments were in support and six were in opposition to increase the number of DMAP harvest permits that a person may receive for each DMAP unit or area from two to four.

*5. Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

*6. Effective Date*

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

*7. Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.674 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-451 remains valid for the final adoption of the subject regulation.

### Annex A

## TITLE 58. RECREATION

### PART III. GAME COMMISSION

#### CHAPTER 147. SPECIAL PERMITS

##### Subchapter R. DEER CONTROL

#### § 147.674. Issuance of DMAP harvest permits.

(a) DMAP harvest permits will be made available without regard to quota limitations and will be issued through the Commission's PALS.

(b) Four harvest permits for the DMAP area may be issued each license year to persons who possess a valid Pennsylvania hunting license, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

(c) Coupon holders shall submit the completed coupons and remittance as determined by the Director. The fee for the harvest permit is \$10 for residents and \$35 for nonresidents. A fee of \$6 will be assessed for the replacement of any DMAP harvest permit.

(d) While hunting deer, the DMAP harvest permit shall be possessed by the hunter at all times.

(e) In DMAP areas designated by the Director, applicants may apply for DMAP harvest permits without possessing a coupon as long as harvest permits remain available for that area.

[Pa.B. Doc. No. 20-599. Filed for public inspection May 1, 2020, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 147 ]

#### Special Permits; Guiding Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended §§ 147.901—147.905 and added § 147.904.1 (relating to records and reports of commercial guides) to: 1) restructure the application requirements for commercial and noncommercial guiding permits; 2) add a noncommercial elk guiding permit; 3) add new guide permit fee structures for commercial and noncommercial elk guiding permits; 4) add recordkeeping and reporting requirements for commercial guides; and 5) address other minor housekeeping items.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1390 (March 7, 2020).

#### 1. Purpose and Authority

The Commission has determined that an update and restructuring of its guiding permit regulations was needed, especially as it relates to elk guiding. The Commission amends §§ 147.901—147.905 and adds § 147.904.1 to restructure the application requirements for commercial and noncommercial guiding permits, create a noncommercial elk guiding permit, create new guide permit fee structures for commercial and noncommercial elk guiding permits, create recordkeeping and reporting requirements for commercial guides and address other minor housekeeping items.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 147.901—147.905 and addition of § 147.904.1 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends §§ 147.901—147.905 and adds § 147.904.1 to: 1) restructure the application requirements for commercial and noncommercial guiding permits; 2) add a noncommercial elk guiding permit; 3) add new guide permit fee structures for commercial and noncommercial elk guiding permits; 4) add recordkeeping and reporting requirements for commercial guides; and 5) address other minor housekeeping items.

#### 3. Persons Affected

Persons wishing to guide other persons engaged in hunting or trapping of certain wildlife within this Commonwealth may be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

#### 6. Effective Date

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

#### 7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending §§ 147.901, 147.902, 147.903, 147.904 and 147.905 and adds § 147.904.1 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-456 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 147. SPECIAL PERMITS**

**Subchapter Y. GUIDING PERMIT**

**§ 147.901. Purpose and scope.**

The purpose of this subchapter is to provide for the issuance of guiding permits to authorize eligible applicants to serve as guides for persons hunting, trapping or otherwise taking certain designated species of game or wildlife.

**§ 147.902. Definitions.**

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

*Commercial guiding activity*—Any guiding activity provided by any person to another person for any fee, remuneration or other economic gain, including bartered goods or services.

*Guide*—A person who assists another person in any manner to hunt, trap or otherwise take certain designated species of game or wildlife.

*Guiding activity*—

(i) The act of assisting or conspiring to assist another person in any manner to hunt, trap or otherwise take certain designated species of game or wildlife by locating, calling or directing another person to the quarry.

(ii) The term is not intended to include or authorize any assistance taking the form of any overt act directly connected with harvesting game or wildlife by the guide discharging a firearm, bow or crossbow or setting or resetting a trap or cable restraints.

*Non-commercial guiding activity*—Any guiding activity provided by any person to another person for the species Elk, where there is no fee, remuneration or economic gain to the guide including bartered goods or services.

**§ 147.903. Application for commercial and noncommercial guiding permits.**

(a) Applications for commercial and noncommercial guiding permits issued under this subchapter shall be

made through the applicable Commission regional office local to the applicant on the appropriate form provided by the Commission.

(b) Applications for commercial and noncommercial guiding permits shall include the name, address, telephone number, customer identification number and date of birth of the primary applicant and each subpermittee, if applicable, as well as the specific eligible species of wildlife sought to be covered by the permit.

(c) Applications for commercial and noncommercial guiding permits will only be accepted if the applicant and each listed subpermittee possesses a valid hunting or furtaking license, whichever is applicable to the single species or multiple species designated on the permit application. Applicants for a noncommercial elk guiding permit must also possess a valid elk license.

(d) Applications for commercial and noncommercial guiding permits will only be accepted if the applicant and each listed subpermittee have no documented prior record of game or wildlife violations of the act or this title or related license revocations within the previous 10 years. This subsection shall not be construed to apply to the permittee listed on the application for a noncommercial elk guiding permit, but this provision remains effective for each subpermittee listed the permittee's application.

(e) The fee for a commercial or noncommercial guiding permit will be:

(1) Except as provided in paragraphs (2) and (3) for elk guiding permits, \$25 for residents and \$50 for nonresidents for each respective eligible species of wildlife to be covered by the permit.

(2) \$500 for residents and nonresidents for commercial elk guiding permits. This fee also covers up to four subpermittees at no additional cost. Additional subpermittees beyond the first four may be added for an additional \$50 per additional subpermittee.

(3) No cost for a noncommercial elk guiding permits. This no cost fee also covers up to four subpermittees at no additional cost. Additional subpermittees beyond the first four may be added for an additional \$25 per additional subpermittee.

**§ 147.904. Permit.**

(a) *General rule.* A guiding permit issued under this subchapter is required for any person to engage in any commercial or noncommercial guiding activity anywhere within this Commonwealth for the following designated species of wildlife: elk and bobcat. A guiding permit is also required for any person to engage in any commercial guiding activity for coyotes on any lands designated as State game lands.

(b) *Additional permits.* Possession of a commercial or noncommercial guiding permit issued under this subchapter does not diminish an individual's obligation to obtain any other applicable Federal, State or local permits concerning the guiding activities.

(c) *Guiding on State game lands.* Notwithstanding the general prohibitions of § 135.41 (relating to state game lands), a commercial guiding permit issued under this subchapter authorizes its holder to engage in commercial guiding activities on lands designated as State game lands for each species of game wildlife designated on the commercial guiding permit. This subsection shall not be construed to require a commercial or noncommercial guiding permit for noncommercial guiding activities occurring on lands designated as State game lands.

(d) *Licenses, permits and stamps required.* A commercial or noncommercial guide shall maintain valid licenses, permits and stamps applicable to each species for which they are conducting commercial or noncommercial guiding activities, excepting only elk licenses, if applicable. A guide shall carry these licenses, permits and stamps required by this subsection on their person while engaged any commercial or noncommercial guiding activities and shall produce same, upon demand, to any officer whose duty it is to enforce the title.

**§ 147.904.1. Records and reports of commercial guides.**

(a) *Records.* A commercial guide shall maintain legible, accurate and complete field records of all commercial guiding activities conducted under the authority of a commercial guiding permit on a form supplied by the Commission. These field records shall be maintained and made available for inspection in accordance with section 2906 of the act (relating to records). A commercial guide shall complete the field records form according to the instructions on the form and must contain the following information for each commercial guiding activity:

- (1) Name, address and customer identification number for each client.
- (2) Date of guided activity.
- (3) Quantity and species of game or wildlife harvested by each client.
- (4) Name and guide permit number of any accompanying guide permit holder for each guided activity.

(b) *Reports.* All field records shall be submitted to the Commission annually in accordance with section 2907 of the act (relating to reports).

**§ 147.905. Violations.**

Violations of this subchapter will be prosecuted under section 2908 of the act (relating to violations). The Director may deny, revoke or suspend any permit for any violation of the act or this subchapter by the permittee or any subpermittee, upon written notice to the permittee.

[Pa.B. Doc. No. 20-600. Filed for public inspection May 1, 2020, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 147 ]

#### Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 7, 2020, meeting amended § 147.804 (relating to general) to: 1) combine the species eligibility list for mentored youth and mentored adults to one list; 2) issue all applicable harvest tags to mentored adults and mentored youth 7 years of age or older in a manner consistent with the purchase of a hunting license; 3) expand the ability to make direct application for antlerless deer licenses and Deer Management Assistance Program (DMAP) harvest permits for mentored adults and mentored youth 7 years of age or older; and 4) expand the eligibility of all mentored hunters to make direct application for migratory bird licenses and pheasant permits.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 50 Pa.B. 1387 (March 7, 2020).

#### 1. Purpose and Authority

Since the mentored hunting program's initial inception in 2006, the program has gradually grown and expanded to allow the hunting of many additional species of game and wildlife. The program has also incrementally expanded eligibility standards to now allow participation by all age groups. However, with this progressive linear expansion, the mentored hunting program has built up a complex and inconsistent web of eligibility standards and limitations for each of the three program age groups. Couple this complexity with its differences to the traditional hunting license structures and this Commonwealth's sporting men and women have understandably been challenged in fully understanding and consistently operating within the program's multifaceted standards. Furthermore, the Commission recognizes that the current complexity if these regulations themselves may in fact be undermining the recruitment and retention of the participants the program was intended to improve. With this in mind, the Commission has determined that the mentored hunting program is due for a significant streamlining of its standards.

The first improvement involves combining the species eligibility list for mentored youth and mentored adults to one list. This change alone will expand species eligibility for all age groups.

The second change involves issuing all applicable harvest tags to mentored adults and mentored youth 7 years of age or older in a manner consistent with the purchase of a hunting license. This change primarily affects mentored adults and does not change standards for mentored youth who are under 7 years of age at the time of application. This change eliminates the transfer of any harvest tags to mentored adults and mentored youth 7 years of age or older.

The third change builds off of the second by expanding the ability to make direct application for antlerless deer licenses and DMAP harvest permits for mentored adults and mentored youth 7 years of age or older. The fourth change allows all mentored hunter age classes to make direct application for migratory bird licenses and pheasant permits within the eligibility standards and limitations of these programs. Each of these improvements brings a greater degree of simplicity to the mentored hunting program and also brings it into closer alignment to the Commission's traditional hunting license structures.

Section 2701(a) of the code (relating to license requirements) states that "Except in defense of person or property or pursuant to exemptions authorized by the commission for implementing a mentored youth hunting program, every person, prior to engaging in any of the privileges granted by this title, shall first obtain the applicable license subject to any conditions or other requirements imposed by this title." Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be per-



formed under authority of any permit issued.” The amendments to § 147.804 are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 147.804 to: 1) combine the species eligibility list for mentored youth and mentored adults to one list; 2) issue all applicable harvest tags to mentored adults and mentored youth 7 years of age or older in a manner consistent with the purchase of a hunting license; 3) expand the ability to make direct application for antlerless deer licenses and DMAP harvest permits for mentored adults and mentored youth 7 years of age or older; and 4) expand the eligibility of all mentored hunters to make direct application for migratory bird licenses and pheasant permits.

3. *Persons Affected*

Persons who wish to participate in the mentored hunting program may be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

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

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.804 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-452 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 147. SPECIAL PERMITS**

**Subchapter X. MENTORED HUNTING PROGRAM PERMIT**

**§ 147.804. General.**

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities. Purchase of a hunting license by an eligible mentored youth or mentored adult shall automatically invalidate any mentored permit and associated harvest tags held by same.

(c) *Species limitation.* A mentored youth’s or mentored adult’s hunting eligibility is restricted to the following species: rabbit, hare, ruffed grouse, mourning dove, bobwhite quail, pheasant, crow, squirrel, porcupine, woodchuck, coyote, deer and wild turkey.

(d) *Seasons and bag limits.* A mentored youth’s and mentored adult’s hunting eligibility is further constrained by applicable hunting seasons, daily limits, field possession limits and season limits provided in § 139.4 (relating to seasons and bag limits for the license year).

(e) *Applicability of junior seasons and antler restrictions.* A mentored youth is eligible to hunt during any special youth hunting seasons that apply to any species specified in subsection (c) and are subject to the same antler restrictions that apply to junior license holders in § 131.2 (relating to definitions).

(f) *Tagging requirements.* Mentored youth and mentored adults shall tag and report all big game harvested in the manner provided in section 2323 of the act (relating to tagging and reporting big game kills).

(g) *Transfer of an antlerless license.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act (relating to unlawful acts concerning licenses), mentors are authorized to transfer antlerless licenses issued to them to an eligible mentored youth who was under 7 years of age at the time of application. The antlerless license shall be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the antlerless license may not occur until after the mentored youth has harvested the antlerless deer, but before tagging the carcass. A mentored youth may receive by transfer no more than one antlerless deer license each license year. Mentored youth who are under 7 years of age at the time of application are ineligible to make direct application for an antlerless license.

(h) *Transfer of a fall turkey tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer fall turkey tags issued

to them to an eligible mentored youth who was under 7 years of age at the time of application. The fall turkey tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth has harvested the fall turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one fall turkey tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(i) *Transfer of a Deer Management Assistance Program harvest permit.* Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to an eligible mentored youth who was under 7 years of age at the time of application. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth has harvested the antlerless deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one DMAP harvest permit each license year. Mentored youth who are under 7 years of age at the time of application are ineligible to make direct application for a DMAP harvest permit. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(j) *Transfer of an antlered deer harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer antlered deer harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The antlered deer harvest tag shall be valid and in the possession of the mentor at all times while hunting antlered deer. The transfer of the antlered deer harvest tag may not occur until after the mentored youth has harvested the antlered deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one antlered deer harvest tag each license year. This provision shall not be construed to authorize

the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(k) *Transfer of a spring turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one spring turkey harvest tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(l) *Application for and issuance of big game harvest tags.* Except as provided as follows, mentored youth and mentored adult hunting permits will be issued with an antlered deer, fall turkey and spring turkey harvest tag. No harvest tags will be issued with a mentored youth permit where the applicant is under 7 years of age at the time of application. Mentored youth over 7 years of age at the time of application and mentored adults are additionally eligible to make application for one antlerless deer license and as many DMAP harvest permits that are within the eligibility standards and limitations of these programs.

(m) *Application for and issuance of add-on licenses and permits.* Mentored youth and mentored adults are exempt from requirements to obtain archery and muzzleloader add-on licenses or stamps applicable to hunting archery or muzzleloader seasons for any species listed in subsection (c). Unless otherwise exempted by existing program standards, all mentored youth and mentored adults are required to obtain migratory bird licenses and pheasant permits to participate in hunting during applicable seasons for any associated species listed in subsection (c).

[Pa.B. Doc. No. 20-601. Filed for public inspection May 1, 2020, 9:00 a.m.]

# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 135 ]

### Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 7, 2020, meeting to amend § 135.41 (relating to State game lands) to eliminate the Sunday exemption from the fluorescent orange wearing requirement.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the April 7, 2020, meeting of the Commission. Comments can be sent until July 20, 2020, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

On February 25, 2019, the act of November 27, 2019 (P.L. 739, No. 107) (Act 107) became effective. Among other things, the final legislation amended section 2303 of the code (relating to hunting on Sunday prohibited) to allow the Commission to authorize three designated days of hunting on Sunday in addition to existing authorizations. All three of the Sunday dates selected by the Commission fall within the date range found in § 135.41(c)(21), which requires persons entering State game lands that are not hunting or trapping to wear fluorescent orange colored material for their safety during the overlapping big game seasons. Entries on Sunday have previously been exempted from the requirement since no big game hunting typically occurred on these days. With the passage of Act 107 this will no longer be the case. The Commission is proposing to amend § 135.41 to eliminate the Sunday exemption from the fluorescent orange wearing requirement.

Section 721(a) of the code (relating to control of property) provides "The administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the Director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters." The amendments to § 135.41 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend § 135.41 to eliminate the Sunday exemption from the fluorescent orange wearing requirement.

#### 3. Persons Affected

Persons wishing to enter State game lands that are not hunting or trapping during periods overlapping with big game seasons will be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

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

#### 6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-458. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 135. LANDS AND BUILDINGS

#### Subchapter C. STATE GAME LANDS

#### § 135.41. State game lands.

\* \* \* \* \*

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

\* \* \* \* \*

(21) [ **Except on Sundays, be** ] **Be** present on State game lands from November 15 through December 15 inclusive when not engaged in lawful hunting or trapping and fail to wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined or, in lieu thereof, a hat of the same colored material. The material shall be worn so it is visible in a 360° arc. Persons using shooting ranges are exempted from this requirement.

\* \* \* \* \*

[Pa.B. Doc. No. 20-602. Filed for public inspection May 1, 2020, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, May 13, 2020, by telephone at (866) 342-8588, passcode is 3722. A business meeting will be held the following month on Wednesday, June 10, 2020. Because the novel coronavirus (COVID-19) mitigation measures in effect in June may compel the Commission to conduct the business meeting remotely, check the Commission's web site, [www.drbc.gov](http://www.drbc.gov), on or after May 27, 2020, for details about the June meeting location or remote format. Whether in-person or remote, the hearing and business meetings are open to the public.

*Public hearing.* The telephonic public hearing on May 13, 2020, will begin at 1:30 p.m. The hearing items include the draft dockets listed as follows for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources.

Written comments on matters scheduled for hearing on May 13, 2020, will be accepted through 5 p.m. on May 18, 2020.

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

1. *Talen Energy Corporation, D-1970-025 CP-2.* An application to renew the approval of the existing Martins Creek Electric Generating Station, including a surface water withdrawal of up to 785.54 million gallons per month (mgm) from an existing intake on the Delaware River. Water is used for makeup water and cooling at the Martins Creek Facility and also supplies the Lower Mount Bethel Energy Facility located on an adjacent property. The project is located in Lower Mount Bethel Township, Northampton County, PA within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

2. *New Castle County Department of Special Services, D-1972-210 CP-3.* An application to renew approval of the existing 0.57 million gallons per day (mgd) Delaware City Waste Water Treatment Plant (WWTP) (also referred to as the Governor Bacon Health Center WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Delaware River Water Quality Zone 5 at River Mile 60.6 in Delaware City, New Castle County, DE.

3. *United States Steel Real Estate, D-1978-068-5.* An application to renew approval of the applicant's existing WWTP, existing Industrial Wastewater Treatment Plant (IWTP) and combined discharge from the WWTP and

IWTP by means of existing Outfall No. 003. The applicant's facility also discharges noncontact cooling water by means of existing Outfall No. 002. The WWTP and IWTP will continue to discharge 0.163 mgd and 3.75 mgd, respectively, to Water Quality Zone 2 of the Delaware River at River Mile 127.0 in Falls Township, Bucks County, PA.

4. *Pottstown Borough Water Authority, D-1989-055 CP-4.* An application to renew approval of the applicant's existing 12.85 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5—51.3 (Delaware River—Schuylkill River) in the Borough of Pottstown, Montgomery County, PA.

5. *Amity Township, D-1990-078 CP-5.* An application to renew approval of the applicant's existing 2.2 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5—58.4 (Delaware River—Schuylkill River) in Amity Township, Berks County, PA.

6. *Waste Management Disposal Services of Pennsylvania, Inc., D-1991-090-3.* An application to renew the approval to withdraw up to 6.0 mgm of surface water from an existing intake on Manor Lake for dust control at the applicant's TRRF, GROWS, GROWS North and Fairless landfills. The withdrawal is located in the Van Sciver Lake—Delaware River Watershed in Falls Township and Tullytown Borough, Bucks County, PA.

7. *Leidys, Inc., D-1993-021-3.* An application to renew the approval of an existing groundwater withdrawal of up to 3.45 mgm to supply the applicant's pork processing plant from existing Wells Nos. PW-1—PW-3. The project wells are completed in the mixed zone of the Brunswick and Lockatong formations. The requested allocation is not an increase from the previous allocation. The facility is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) within the Skippack Creek Watershed in Souderton Borough, Montgomery County, PA.

8. *Shoemakersville Municipal Authority, D-1993-074 CP-5.* An application to renew approval of the applicant's existing 0.75 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5—92.3 (Delaware River—Schuylkill River) in the Borough of Shoemakersville, Berks County, PA.

9. *Lower Perkiomen Valley Regional Sewer Authority, D-2001-042 CP-6.* An application to renew the approval of the applicant's existing 14.25 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5—32.4 (Delaware River—Schuylkill River) by means of Outfall No. 001, in Upper Providence Township, Montgomery County, PA.

10. *East Vincent Township, D-2005-007 CP-3.* An application to renew approval of the applicant's existing 0.053 mgd Bartons Meadows WWTP and its discharge to land by means of subsurface infiltration beds. The WWTP discharge to land is located in the drainage area of French Creek in East Vincent Township, Chester County, PA.

11. *White Manor Country Club, D-2009-022-2*. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 7.016 mgm to irrigate the applicant's golf course from existing Well 1 and existing surface water Intakes 1 and 2. Well 1 is completed in Felsic Gneiss. The project is located in the Commission's SEPA GWPA in the Crum Creek Watershed in Willistown Township, Chester County, PA.

12. *Tuscan Lehigh Dairies—Montgomery County, D-2009-043-2*. An application to renew the approval of an existing groundwater withdrawal of up to 8.7 mgm to supply the applicant's facility from existing Wells Nos. 3—5. The project wells are completed in the Brunswick Formation. The facility is located in the Commission's SEPA GWPA within the Towamencin Creek Watershed in Upper Gwynedd Township, Montgomery County, PA.

13. *Schuylkill Valley Sewer Authority, D-2012-029 CP-3*. An application to renew approval of the applicant's existing 0.55 mgd Schuylkill Valley Sewer Authority WWTP and its discharge, and to approve a modification to the service area of the WWTP. The modification consists of the addition of wastewater from the Blythe Township Recycling and Demolition Landfill. The WWTP will remain designed for 0.55 mgd and continue to discharge treated effluent to the Schuylkill River at River Mile 92.47—127.6 (Delaware River—Schuylkill River) in Blythe Township, Schuylkill County, PA.

14. *Indian Head Camp, D-2015-008 CP-2*. An application to renew approval of the applicant's existing 0.045 mgd WWTP and its discharge to land by means of spray irrigation. The existing WWTP will continue to discharge treated effluent to spray fields located in Manchester Township, Wayne County, PA within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

15. *Aqua Pennsylvania Wastewater, Inc., D-2016-011-2*. An application to approve the renewal of the docket holder's existing 0.07 mgd Thornhurst WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary to Pond Creek, upstream of F.E. Walter Reservoir at River Mile 183.7—88.8—2.5 (Delaware River—Lehigh River—Pond Creek) by means of Outfall No. 001, in Thornhurst Township, Lackawanna County, PA within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

16. *The Boeing Company, D-1994-030-3*. An application to renew approval of the applicant's existing 0.05 mgd IWTP and its discharge of treated industrial wastewater and cooling tower blowdown. The WWTP will continue to discharge treated effluent to the tidal portion of Crum Creek, which is located in Delaware River Water Quality Zone 4, at River Mile 85.3—0.5 (Delaware River—Crum Creek) in Ridley Township, Delaware County, PA. The applicant also requested a total dissolved solids determination for the discharge, consisting of an average monthly effluent concentration limit of 2,000 milligrams/liters (mg/l) and a daily maximum effluent concentration limit of 2,500 mg/l.

*Public meeting.* The public business meeting on June 10, 2020, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's March 11,

2020, business meeting, announcement of upcoming meetings and events, a report on hydrologic conditions, a resolution for the minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year beginning July 1, 2020, and ending June 30, 2021; reports by the Executive Director and the Commission's General Counsel, and consideration of any items for which a hearing has been completed or is not required.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the June 10, 2020, business meeting on items for which a hearing was completed on May 13, 2020, or a previous date. Commission consideration on June 10, 2020, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment on the record during the public hearing on May 13, 2020, or to address the Commissioners informally during the open public comment portion of the meeting on June 10, 2020, are asked to sign-up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting are available at [www.drbc.gov](http://www.drbc.gov). For assistance contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

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

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

*Additional information and contacts.* Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh, (609) 883-9500, Ext. 240. For other questions concerning hearing items contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 20-603. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Standards and Requirements for the Conservation Excellence Grant Program

The Department of Agriculture (Department) through the State Conservation Commission (Commission) hereby provides notice of the Conservation Excellence Grant Program (CEG Program). The CEG Program is established under the authority of the act of July 1, 2019 (act) (3 Pa.C.S. §§ 3101—3110). The act establishes the CEG Program to be administered by the Commission to provide technical and financial assistance for best management practice projects on agricultural operations in high priority locations in this Commonwealth. Assistance is available through grants, loans and tax credits, or a combination of all three.

This notice explains the process by which applications will be submitted and reviewed by the Commission for grants. Grants will be awarded to the extent funding is made available by the General Assembly. For Fiscal Year (FY) 2019-2020, a total of up to \$2.5 million is available. The Commission will equally divide the available total between Lancaster and York Counties. Each county will receive up to \$1 million for grants to eligible applicants and up to \$250,000 for administrative and technical assistance expenses. The Commission will enter into delegation agreements with Lancaster and York County conservation districts to process the grant awards. Successful applicants must spend their grant awards within 2 years from July 1, 2019, the start of FY 2019-2020. When available, the application will be posted on the web site of the Commission at [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/StateConservationCommission/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/Pages/default.aspx).

Loans are awarded through programs approved by the Commission, including the Agriculture-Linked Investment Program. Tax credits are awarded under the Resource Enhancement and Protection Tax Credit Program through the Department of Revenue.

#### *CEG Program Guidelines*

The Commission is required to establish guidelines for the submission, review and approval of grant applications. For the initial FY 2019-2020, the Commission established 2019-2020 Program Guidelines, which are available for review through the web site of the Commission at [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/StateConservationCommission/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/Pages/default.aspx). These guidelines are subject to change after this initial phase of the CEG Program. The guidelines provide the following:

#### **1. Program Objective.**

The purpose of the CEG Program is to provide financial and technical assistance for the implementation of best management practices (BMPs) on agricultural operations in high-priority locations within this Commonwealth through grants, loans and tax credits, or a combination of all three, as authorized under section 4(7) of the Conservation District Law (3 P.S. § 852(7)).

#### **2. Definitions.**

*“Accelerated erosion.”* The removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone.

*“Agricultural Erosion and Sedimentation Plan.”* A site-specific plan consisting of both drawings and a narrative that: (1) identifies best management practices to minimize accelerated erosion and sediment before, during and after earth disturbance activities when plowing or tilling activities or animal heavy use areas disturb 5,000 square feet (464.5 square meters) or more of land, and (2) is in compliance with 25 Pa. Code § 102.4(a) (relating to erosion and sediment control requirements).

*“Agricultural operation.”* The management and use of farming resources for the production of crops, livestock or poultry.

*“Agricultural plowing or tilling activity.”* Earth disturbance activity involving the preparation and maintenance of soil for the production of agricultural crops. The term includes no-till cropping methods, the practice of planting crops with minimal mechanical tillage.

*“Animal Heavy Use Area.”* Barnyard, feedlot, loafing area, exercise lot, or other similar area on an agricultural operation where due to the concentration of animals it is not possible to establish and maintain vegetative cover of a density capable of minimizing acceleration erosion and sedimentation by usual planting methods. The term does not include entrances, pathways and walkways between areas where animals are housed or kept in concentration.

*“Best management practice (BMP).”* A practice or combination of practices determined by the State Conservation Commission or United States Department of Agriculture Natural Resources and Conservation Service to be effective and practical, considering technological, economic and institutional factors, to manage nutrients and sediment to protect surface water and groundwater.

*“CEG Program.”* The Conservation Excellence Grant Program established and implemented under the act of July 1, 2019, 3 Pa.C.S. §§ 3101—3110.

*“Commission.”* The State Conservation Commission established under section 4 of the act of May 15, 1945 (P.L. 547, No. 217), known as the Conservation District Law (3 P.S. § 852).

*“Conservation District.”* A county conservation district established under the act of May 15, 1945 (P.L. 547, No. 217), known as the Conservation District Law (3 P.S. §§ 849—864).

*“Conservation Plan.”* A United States Department of Agriculture Natural Resources Conservation Service plan, including a schedule for implementation, that identifies site specific conservation best management practices on an agricultural operation.

*“Earth disturbance activity.”* A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

*“Eligible Applicant.”* Any person, individual, partnership, corporation or legal entity that engages in an agricultural operation in this Commonwealth and has legal or financial responsibility for the agricultural operation.

*“Eligible Project Costs.”* Project design, engineering and associated planning; project management costs, including contracting, document preparation and applications; project construction and installation; equipment and materials; post-construction inspections.

*“Manure Management Plan.”* A written site-specific plan that: (1) identifies current standards to manage nutrients for water quality protection from the land application of manure and agricultural process wastewaters that is acceptable to the Commission; and (2) is developed to meet the requirements of 25 Pa. Code § 91.36(b)(1)(i) (relating to pollution control and prevention at agricultural operations).

*“Nutrient Management Plan.”* A written site-specific plan which incorporates best management practices to manage the use of plant nutrients for crop production and water quality protection consistent with the criteria established in 3 Pa.C.S. §§ 504 and 506 (relating to powers and duties of commission; and nutrient management plans).

*“Tier One Chesapeake Bay Counties.”* Lancaster and York Counties.

*“Tier Two Chesapeake Bay Counties.”* Franklin, Lebanon, Cumberland, Centre and Bedford Counties.

*“Tier Three Chesapeake Bay Counties.”* Adams, Northumberland, Perry, Snyder, Huntingdon, Columbia, Mifflin, Lycoming, Schuylkill, Bradford, Juniata, Clinton, Tioga, Susquehanna, Clearfield and Fulton Counties.

*“Technical Service Provider.”* An individual, entity or public agency certified by the USDA-NRCS and placed on the approved list to provide technical services to program participants or to USDA program participants or any other entity approved by the Commission.

*“USDA-NRCS.”* The United States Department of Agriculture Natural Resources and Conservation Service.

*“Watershed Implementation Plan.”* The Commonwealth of Pennsylvania’s Phase 3 Chesapeake Bay Watershed Implementation Plan (WIP), final dated August 2019. [https://www.dep.pa.gov/Business/Water/Pennsylvania%e2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/Pages/Phase-III-WIP-\(Watershed-Implementation-Plans\).aspx](https://www.dep.pa.gov/Business/Water/Pennsylvania%e2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/Pages/Phase-III-WIP-(Watershed-Implementation-Plans).aspx).

### 3. Role of Conservation Districts.

(a) Under section 4(3) of the Conservation District Law (3 P.S. § 852(3)), and 3 Pa.C.S. § 3109 the CEG Program act, the Commission may delegate certain duties and responsibilities under the act to conservation districts that are willing to enter into an agreement to carry out these duties and responsibilities.

(b) Under section 4(7) of the Conservation District Law (3 P.S. § 852(7)), and 3 Pa.C.S. § 3110 of the CEG Program Act, the Commission may advance funds to conservation districts for the purposes of the act.

(c) Under § 3107 of the CEG Program act, priority must be given for certain locations in the Commonwealth when approving applications for eligible projects. The first priority locations are counties designated by the Department of Environmental Protection (DEP) as Tier 1 Chesapeake Bay counties in the Phase 3 Chesapeake Bay Watershed Implementation Plan (WIP). The next priority locations are counties designated by DEP as Tier 2 and 3 Chesapeake Bay counties. The last priority locations include all other counties.

(d) To the extent authorized by a delegation agreement, conservation districts shall review and approve applications for eligible projects under the CEG Program and satisfy other duties and responsibilities delegated by the Commission, including:

(i) Developing ranking criteria with guidance from the Commission.

(ii) Coordinating with the Commission on the award of tax credits or low interest loans, or both.

### 4. Delegation Agreement.

The delegation agreement will:

(a) Be for a term of up to 5 years.

(b) Specify the duties and responsibilities of the delegated conservation districts.

(c) Provide for the commitment of sufficiently trained staff and available resources for conservation districts to satisfy delegated duties and responsibilities.

(d) Require the conservation district to maintain records of activities performed in carrying out delegated duties and responsibilities.

(e) Provide for the Commission and conservation districts to work cooperatively in developing and implementing guidelines and policies related to the CEG Program.

(f) Provide for the Commission to monitor and supervise the conservation district’s performance of delegated duties and responsibilities.

### 5. Allocation of Available Funds.

In fiscal year 2019-2020, a total of up to \$2.5 million is available under the CEG Program. In fiscal year 2019-2020, the Commission will initially advance 50% of allocated funds for the CEG Program, which may be used for grants to eligible applicants and to cover administrative and technical assistance expenses to delegated conservation districts.

The funds will be divided between Lancaster and York Counties as follows:

(a) Up to \$1 million shall be awarded to Lancaster County; up to \$1 million shall be awarded to York County for grants to eligible applicants with eligible project costs.

(b) Up to \$250,000 shall be awarded to Lancaster County and up to \$250,000 shall be awarded to York County for administrative and technical assistance expenses.

(c) Funds uncommitted or unspent by Tier 1 counties may be reallocated at the discretion of the Commission to Tier 2, Tier 3 and other counties.

(d) In subsequent fiscal years, subject to available funding, the Commission intends to allocate available funds to Tier 1, Tier 2, Tier 3 and then other counties.

### 6. Application.

(a) *Application process.* A person may apply to a delegated conservation district for a grant for an eligible project under the CEG Program with an application created by the Commission. The application will include all of the following:

(i) The location of the project.

(ii) The type of the project.

- (iii) The status of the project.
- (iv) The type and combination of funding requested under the CEG Program.
- (v) The total cost of the project.
- (vi) Verification that an agricultural Erosion and Sedimentation Plan, or a Conservation Plan, A Manure Management Plan, or a Nutrient Management Plan has been developed and is available.
- (vii) Any other information required by the Commission, including the source and amount of other funding sources utilized for the project.

(b) Applications shall be submitted to delegated conservation districts.

(c) *Application Review*—The delegated conservation district shall review complete applications based upon the criteria established in section 7 of these Guidelines (relating to application evaluation criteria) on an ongoing basis and in the order complete applications are received. In all cases, delegated conservation districts will review complete applications and approve projects, at a minimum, on a quarterly basis.

### 7. Application Evaluation Criteria.

In approving applications for eligible projects under the CEG Program, priority will be given to complete applications based upon the following criteria:

- (a) Priority locations as follows and in this order:
  - (i) Counties designated by the Department of Environmental Protection as Tier 1 Chesapeake Bay counties.
  - (ii) Counties designated by the Department of Environmental Protection as Tier 2 and 3 Chesapeake Bay counties.
  - (iii) All other counties.
  - (iv) Specific watershed locations within a county consistent with a County-wide Action Plan developed under the Phase III WIP.
- (b) Priority practices as follows, in no particular ranking order:
  - (i) Livestock exclusion fencing.
  - (ii) Stream-side buffers.
  - (iii) Streambank restoration.
  - (iv) Barnyard and feedlot runoff abatement.
  - (v) Stream crossings.
  - (vi) Off-stream watering.
  - (vii) Manure storage facilities.
  - (viii) Nutrient management plans and manure management plans.
  - (ix) Conservation plans or agricultural erosion and sedimentation plans.
  - (x) Cover crops.
  - (xi) Any other priority practices approved by the Commission, including any practices determined by the delegated conservation district and approved by the Commission to be consistent with a County-wide Action Plan under the Phase III WIP. This may include practices approved under the Resource Enhancement and Protection program.

(c) The level and extent of planning and technical assistance, such as inventory and evaluation, design work, permits and similar types of assistance, already completed to allow for accurate estimates of project costs and timely completion of the project.

(d) The extent to which an applicant is willing to accept a reasonable mix of grants, loans and tax credits or to supply nongovernmental matching funds for the project, except for small projects with a total project cost under \$25,000.

(e) Any other criteria that is consistent with the criteria in (a)—(d) and approved by the Commission.

### 8. Project Certification.

(a) If a project's BMPs require review and certification by a registered professional engineer under the applicable laws or regulations of this Commonwealth, the BMP shall be certified by a registered professional engineer.

(b) Any other BMP shall be certified by a technical service provider, staff from the delegated conservation district having the appropriate job approval authority, the USDA-NRCS, or any other qualified person who has appropriate training and expertise and is approved by the Commission.

(c) Costs incurred to satisfy the certification requirements of this section are deemed eligible project costs up to 2% of the total costs of the approved project, unless otherwise approved by the Commission.

### 9. Funding Limitations.

(a) A single grant awarded by the delegated conservation district to an eligible applicant may not exceed \$250,000.

(b) The delegated district may award a grant to an eligible applicant for a small project that is less than \$25,000.

(c) A grant amount for an eligible project shall be based on the estimated costs, project description, level of planning completed, and the type of funding requested in the application, as determined appropriate by the Commission.

(d) The Commission may choose to reimburse grant recipients based on eligible actual project costs, incentive payments for completed BMPs or any other method deemed appropriate by the Commission.

### 10. Notice of Determination.

(a) Within 60 days of receipt of a complete application, the delegated conservation district shall notify the applicant of all of the following:

- (1) Whether the project is approved for funding under the CEG Program.
- (2) The total amount of funds approved for the project.
- (3) The amount of each type of funding approved for the project.

(b) The delegated conservation district shall notify the applicant of an incomplete application with 10 business days of receipt of the application.

### 11. Documentation.

Upon approval of an application, the delegated conservation district will enter into a contract with the applicant for a term not to exceed 2 years.



**12. Notice and Verification of Completion.**

Upon completion of a project funded under the CEG Program, the approved applicant shall notify the delegated conservation district within 30 days that the project has been completed on forms approved by the Commission. The notice under this section shall include the required certification under section 8 (relating to project certification).

**13. Inspection.**

Projects funded under this CEG Program may be subject to inspection by the Commission or the Commission's delegated conservation district.

**14. Recordkeeping.**

All successful applicants are required to maintain on-site all records and receipts for all funded project costs for the longest lifespan of any installed BMP under the CEG Program and for a minimum of 5 years.

**15. Questions and Additional Information.**

Questions on this program may be directed to Eric Cromer, Conservation Program Specialist, State Conservation Commission, at [ecromer@pa.gov](mailto:ecromer@pa.gov).

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 20-604. Filed for public inspection May 1, 2020, 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 April 21, 2020.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-16-2020	Univest Bank and Trust Co. Souderton Montgomery County	2901 Whiteford Road York York County	Approved
04-21-2020	Univest Bank and Trust Co. Souderton Montgomery County	1103 Rocky Drive West Lawn Berks County	Filed

#### CREDIT UNIONS

No activity.

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

RICHARD VAGUE,  
*Acting Secretary*

[Pa.B. Doc. No. 20-605. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Extended Citizen Comment Period for the Draft 2020 Annual Action Plan

The Department of Community and Economic Development (Department) wishes to announce an extended citizen comment period for the Commonwealth's Draft Federal Fiscal Year 2020 Annual Action Plan (Plan), due to the release of the Commonwealth's allocation for the Federal Housing Trust Fund. The Plan is submitted to the United States Department of Housing and Urban

Development (HUD) as the annual application for Federal funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnership (HOME), the Emergency Solutions Grant (ESG) programs, Community Development Block Grant—Disaster Recovery (CDBG-DR) and Neighborhood Stabilization Program (NSP). Also covered by the Plan is the Housing Opportunities for Persons with AIDS (HOPWA) program which the Department of Health administers and the National Housing Trust Fund (HTF) which is administered by the Pennsylvania Housing Finance Agency (PHFA). This year an additional resource is being added

to the Federal programs, the Recovery Housing Program under the SUPPORT for Patients and Communities Act (Pub.L. No. 115-271).

This summary is designed to provide an opportunity for citizens, local governmental officials and interested organizations of the Commonwealth to comment about the Plan prior to its submission to HUD. Comments may be electronically submitted to the Department by means of RA-DCEDcdbghomequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Electronic and written comments must be received by close of business on Wednesday, June 3, 2020, at 4 p.m. to be included as testimony in the Plan.

Note that the Plan has been updated to cover the Commonwealth's response to the novel coronavirus (COVID-19) crisis and to provide the flexibility to the grantees to respond to their individual municipal needs. The affected Federal Community Planning and Development programs can only address these needs within the parameters of their guidelines. The Department and the Department of Health have requested and received approval of waivers as HUD has allowed but most of the requirements of the programs remain in place.

#### *Purpose*

The Plan takes the strategy developed in the Consolidated Plan of 2019—2023 and applies it to the administration of the CDBG, HOME, ESG, CDBG-DR, NSP, HOPWA and HTF programs for 2020 as well as the Recovery Housing Program. HUD must approve the Plan in order for the Commonwealth to receive funding under the identified HUD programs.

The draft 2020 Plan may be found on the Department's web site at <http://dced.pa.gov> and was made available to its stakeholders on April 17, 2020. Following are the allocations and proposed changes to the methods of distribution for each program.

The Department reserves the right to divert any recapitulated funds and all uncommitted competitive funds to respond to State or Federally declared natural disasters or emergency declarations.

**CDBG—\$42,023,599**

*Entitlement—No Changes*

*Competitive—No Changes*

**CDBG-DR—No Changes**

**HOME—\$19,932,078**

1. Maximum funding availability varies by HOME eligible activity.

a. Applicants seeking Existing Owner-Occupied Housing Rehabilitation and Homebuyer activities funding will be limited to a maximum of \$500,000 as a town, borough or township. Cities and county applicants are limited to \$750,000.

b. Applicants seeking rental housing and homebuyer—new construction activities will be limited to a maximum funding request of the per unit subsidy limits for the Metropolitan Statistical Area for the proposed activity.

2. All rental housing applicants must demonstrate matching contributions equal to 25% or greater for all HOME rental projects. Eligible match contributions may include cash contributions from non-Federal sources, value of donated property, forbearance of fees, cost of onsite infrastructure improvements directly required for

the HOME-assisted project and other eligible sources more specifically detailed in 24 CFR 92.220 (relating to form of matching contribution).

3. Rental housing developments funded by the Department competitive process will be limited to projects consisting of less than 10 total units. All other rental housing activities, for 10 units and above may be submitted to PHFA and following PHFA's Penn HOMES application process.

4. A Community Housing Development Organization (CHDO) can receive up to 50% of its annual operating budget or \$50,000 whichever is greater as CHDO operating funds. (Note: The Department HOME Program has capped all CHDO operating assistance at \$100,000 per CHDO Set-Aside project per current round.)

**ESG—\$5,776,990**

1. Remove the Department minimum allocation percentage for the rapid rehousing activity (40%).

2. No more than 60% of the annual Federal allocation may be used for emergency shelter activities (including operations, essential services and street outreach).

3. Remove Department maximum of 20% of allocation for emergency shelter activities (operations, essential services and street outreach) and remove cap of operational support as a percentage of overall operating budget.

4. Allow Federal direct-entitlement ESG grantees to seek funding in these years for either rapid rehousing activities or homeless prevention activities. Rapid rehousing must still represent at least 40% of the overall use of ESG funds for direct entitlement communities only.

5. Each applicant must demonstrate coordination of their efforts with the local Continuum of Care priorities.

6. Regional activities must benefit service areas greater than one county.

#### *7. Funding target—housing locator services*

Housing locator services focus on services or activities necessary to assist program participants in locating, obtaining and retaining suitable permanent housing and increasing housing stability and self-sufficiency. Services should include: assessment, arranging, coordinating, housing stability plan development; with an emphasis on acting as a liaison to secure and maintain housing; employment; a connection to mainstream resources and services; coordination with other providers; monitoring of progress; and advocating on behalf of the client. Services should also focus on building a set of supports that can help prevent the recurrence of a housing crisis.

8. The Department will grant award amounts based on the evaluations until all grant funds are awarded. Applicants who have previously returned funds will receive a reduction of 25 points on their application.

9. ESG funds may become available for reallocation as a result of poor grantee performance, voluntary returns, funds returned at the end of the contract period, repayment of ineligible expenses or HUD approved reallocation of expired funds. The Department will utilize its Reallocation Policy to allocate available funds.

**HOPWA—\$3,078,584**

Beginning in 2020, the Department of Health is no longer the Alternate Grantee for the HUD HOPWA funding for the Bensalem Township EMSA. The City of Philadelphia, Division of Community and Planning Del-

opment is now the Alternate Grantee for the 2020 HUD HOPWA funding and going forward.

*HTF—\$9,729,334*

The method of distribution and rehabilitation standards for the HTF program will remain the same.

*RECOVERY HOUSING—\$1,200,000*

Allocation has been made through the Recovery Housing Program under the SUPPORT for Patients and Communities Act to assist with temporary housing for persons affected by the Opioid crisis. Waiting on guidelines from HUD.

*Modification to the citizen participation process for the consolidated plan and action plan:*

*Other special project grants or emergency declaration:*

In the event that other Federal special programs are awarded to the Commonwealth or if an emergency declaration is made that affects the administration of the existing Federal programs, that are authorized under the Housing and Community Development Act of 1974, as amended (42 U.S.C.A. §§ 5301—5322), Cranston-Gonzales National Affordable Housing Act of 1990, as amended (42 U.S.C.A. §§ 12701—12713) or McKinney-Vento Homeless Assistance Act of 1987, as amended (42 U.S.C.A. §§ 11301—11435), or both, and administered by the Department, the citizen participation requirements will be followed in accordance with either the statute or regulations set forth in the program. If HUD may allow for or provides opportunities to request waivers to specific elements of the citizen participation process the Department will determine whether a waiver is necessary and seek use of the waiver authority in accordance with information provided by HUD. Once the waiver is granted by HUD to the Commonwealth, the special conditions will be passed to its grantees, if necessary, to streamline the citizen participation process in accordance with the regulations in place.

To take advantage of the granted waiver authority, the grantee must amend their Citizen Participation Plan to meet the minimum standards included in the waiver if the required action is not already covered in their Citizen Participation Plan.

*Amendment—4-2020—Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Pub.L. No. 116-136) Authorization:*

*Emergency declaration citizen participation and expedited modification process:*

The CARES Act allows for a grantee to adopt and use expedited procedures to prepare, propose, modify or amend its statement of activities to the Fiscal Year (FY) 2019 and FY 2020 grant and new CARES Act funding related to the use of funding to address emerging COVID-19 response.

As long as National or local health authorities recommend social distancing and limiting public gatherings for public health reasons, grantees do not need to hold in-person public hearings but “shall provide citizens with notice and a reasonable opportunity to comment of no less than 5 calendar days. A grantee may create virtual public hearings to fulfill applicable hearing requirements for all grants from funds made available under this law.” Any virtual hearing “shall provide reasonable notification and access for citizens in accordance with the grantee’s certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.”

The 2020 Plan is available on the Internet or electronically for public comment from April 18, 2020, through June 3, 2020.

DENNIS M. DAVIN,  
*Secretary*

[Pa.B. Doc. No. 20-606. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

---

#### APPLICATIONS

---

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

#### APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). 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).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30-days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15-days from the date of this public notice. Comments received within the respective comment periods will be 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 the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. 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. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### I. NPDES Renewal Applications.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0060551 (Sewage)	Aqua Pennsylvania Wastewater, Inc. Rivercrest WWTP 762 W. Lancaster Avenue Bryn Mawr, PA 19010	Wyoming County Tunkhannock Township	Susquehanna River (WWF, MF) (4-G)	Yes
PA0070009 (Sewage)	Aqua Pennsylvania Wastewater, Inc. Cove Village WWTP 762 W. Lancaster Ave. Bryn Mawr, PA 19010-3402	Schuylkill County North Union Township	Catawissa Creek (TSF, MF) (5-E)	Yes

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261343 (Sewage)	Joshua Hill Sewer Co LLC 929 Baltimore Street Hanover, PA 17331	York County West Manheim Township	UNT West Branch Codorus Creek/7-H	Yes
PAS803508 (Storm Water)	YRC Freight 135 10990 Roe Avenue Ms-A650 Overland Park, KS 66211	Cumberland County Middlesex Township	Unnamed Tributary to Letort Spring Run (HQ-CWF (existing use)) (7-B)	Yes
PA0082287 (Sew)	Bongiormo Conference Center 430 Union Hall Road Carlisle, PA 17013	Cumberland County/ North Middleton Township	Conodoguinot Creek/7B	Yes
PA0266086 (Sew)	Spring Grove Borough Wastewater Treatment Plant 201 East Railroad Street Spring Grove, PA 17362	York County/ Spring Grove Borough	Codorus Creek/7H	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0043257 (Sew)	New Freedom Borough Wastewater Treatment Plant 49 East High Street New Freedom, PA 17349	York County/ New Freedom Borough	South Branch Codorus Creek/7H	Yes
PA0081868 (Sew)	Fairview North Waste Water Treatment Plant 57 Fairview Road New Cumberland, PA 17070	York County/ Fairview Township	Susquehanna River/7-E	Yes

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Phone: 570.327.3636, Email: RA-EPNPDES\_NCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0009431 (Industrial)	Milton Water System 105 Sodom Road Milton, PA 17847-9232	Union County White Deer Township	White Deer Creek (HQ-CWF) (10-C)	Yes
PA0112470 (Sewage)	Upper Augusta Township WWTF 2087 Snyderstown Road Sunbury, PA 17801-5141	Northumberland County Upper Augusta Township	Unnamed Tributary of Susquehanna River (CWF) (5-E)	Yes
PA0209261 (Sewage)	Liberty Township Mooresburg Village STP 197 Mooresburg Road Danville, PA 17821-7030	Montour County Liberty Township	Mausers Creek (CWF) (5-E)	Yes

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0027537 (Industrial)	Hampton Shaler Water Auth. 3101 McCully Road P.O. Box 66 Allison Park, PA 15101-1331	Allegheny County Shaler Township	Allegheny River (WWF) (18-A)	Yes

**II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.**

*Southeast Region: Clean Water Program Manager, 2?East Main Street, Norristown, PA 19401, Email: RA-EPNPDES\_SERO@pa.gov.*

**PA0244724**, Storm Water, SIC Code 2834, **Catalent Micron Tech Inc.**, 333 Phoenixville Pike, Malvern, PA 19355-9603. Facility Name: Catalent Micron Malvern Facility. This existing facility is located in East Whiteland Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Valley Creek (EV, MF), is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters 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 002 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	120.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Nitrate-Nitrite as N	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:

- I. Stormwater Outfalls and Authorized Non-Stormwater Discharges
- II. BMPs
- III. Routine Inspections
- IV. PPC Plan
- V. Stormwater Requirements
- VI. Other Requirements
  - A. Property Rights
  - B. Sludge Disposal

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.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0288292**, Sewage, SIC Code 8800, **Susan Strohmeyer**, 5906 Footemill Road, Erie, PA 16509-3806. Facility Name: Susan Strohmeyer Lot 1 SRSTP. This proposed facility is located in Greene Township, **Erie 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), East Branch LeBoeuf Creek (TSF), is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

**PA0288306**, Sewage, SIC Code 8800, **Susan Strohmeyer**, 5906 Footemill Road, Erie, PA 16509-3806. Facility Name: Susan Strohmeyer Lot 2 SRSTP. This proposed facility is located in Greene Township, **Erie 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), East Branch LeBoeuf Creek (TSF), is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

**PA0288322**, Sewage, SIC Code 8800, **Kenneth Grabe**, 8925 Day Lilly Court, Fairfax, VA 22031-1464. Facility Name: Kenneth Graber SRSTP. This proposed facility is located in Slippery Rock Township, **Butler County**.

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

The receiving stream(s), Slippery Rock Creek (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

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

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

Central Office: Bureau of Clean Water: Environmental Program Manager, P.O. Box 8774, Harrisburg, PA 17105, Phone: 717.787.5017, Email: RA-EPNPDES\_Permits@pa.gov.

**PA0207849**, Industrial, SIC Code 4619, **Williams Gas Pipeline Transco**, 2800 Oak Post Boulevard Level 11, Houston, TX 77056. Facility Name: Leidy South Project. This proposed facility is located in multiple municipalities in **Clinton, Columbia, Luzerne, Lycoming and Schuylkill Counties**.

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

The receiving stream(s), Mudlick Run (EV, MF), Deep Creek (CWF, MF), Lick Branch (HQ-CWF, MF), West Branch Little Muncy Creek (EV (existing use)), Unnamed Tributary to Dry Run (HQ-CWF, MF), and Unnamed Tributary to Green Creek (TSF, MF), is located in State Water Plan watershed 6-C, 9-B, 5-C, and 10-D and is classified for Migratory Fishes, Cold Water Fishes, High Quality—Cold Water, Migratory Fish, and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .96 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	<0.02	XXX	<0.02
Total Suspended Solids	XXX	XXX	XXX	8.6	XXX	21.5
Total Dissolved Solids	XXX	XXX	XXX	72.3	XXX	181.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	XXX	XXX	XXX	0.17	XXX	0.43

The proposed effluent limits for Outfall 002 are based on a design flow of .65 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	<0.02	XXX	<0.02
			XXX			
Total Suspended Solids	XXX	XXX	XXX	8.6	XXX	17.2
Total Dissolved Solids	XXX	XXX	XXX	72.3	XXX	181.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	XXX	XXX	XXX	0.17	XXX	0.43

The proposed effluent limits for Outfall 003 are based on a design flow of .96 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	<0.02	XXX	<0.02
			XXX			
Total Suspended Solids	XXX	XXX	XXX	10.2	XXX	20.4
Total Dissolved Solids	XXX	XXX	XXX	54.8	XXX	137.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	XXX	XXX	XXX	0.034	XXX	0.085

The proposed effluent limits for Outfall 004 are based on a design flow of .061 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	<0.02	XXX	<0.02
			XXX			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	96.2	XXX	240.5
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	XXX	XXX	XXX	0.034	XXX	0.085

The proposed effluent limits for Outfall 005 are based on a design flow of .031 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	Report	XXX	0.05
			XXX			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	XXX	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	XXX	XXX	0.25
PCBs, Total (ug/L)	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 006 are based on a design flow of .031 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	Report	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	XXX	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	XXX	XXX	0.25
PCBs, Total (ug/L)	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 007 are based on a design flow of .078 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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	Report	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0

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

- Best Management Practices Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-787-5017.

The EPA Waiver is in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**WQM Permit No. 0692402, Amendment No. 4, Sewerage, Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055.**

This proposed facility is located in Exeter Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the installation of dechlorination chemical addition appurtenances.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**WQM Permit No. 467S032 A-4**, Sewage, **Mon Valley Sewer Authority**, 20 South Washington Street, Donora, PA 15033-1394.

This existing facility is located in Carroll Township, **Washington County**.

Description of Proposed Action/Activity: Improvements to the Mon Valley Sewage Authority STP consisting of blower upgrades, new mixers for the aerobic digester tanks and purge pump. Upgrade replacement of Motor Control Center.

**WQM Permit No. 6569435-A1**, Sewage, **Lower Burrell**, Westmoreland County, UMH Properties 150 Clay Street, Suite 450, Morgantown, WV 26501. This existing facility is located in Lower Burrell, **Westmoreland County**.

Description of Proposed Action/Activity: Removal of existing chlorination disinfection system and replacement with a new ultraviolet disinfection system at the Hill Crest Crossings MHP sewage treatment plant.

**WQM Permit No. 9280-S A-1**, Sewage, **Brunot Island Power LLC**, 121 Champion Way, Suite 200, Canonsburg, PA 15317-5817.

This existing facility is located in Pittsburgh City, **Allegheny County**.

Description of Proposed Action/Activity: installation of a treated effluent aerator.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4320405**, Sewage, **Jack Hauck**, 26 Goetsch Road, Greenville, PA 16125-8616.

This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1020407**, Sewage, **Kenneth Graber**, 8925 Day Lilly Court, Fairfax, VA 22031-1464.

This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

---

#### **IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).**

---

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Email: RA-EPNPDES\_SERO@pa.gov.*

**PAI130037**, MS4, **Newtown Township**, 100 Municipal Drive, Newtown, PA 18940-3900. 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 Newtown Township, **Bucks County**. The receiving stream(s), Unnamed Tributary to Neshaminy Creek (WWF, MF), Neshaminy Creek (WWF, MF), Houghs Creek (WWF, MF), Core Creek (CWF, MF), and Newtown Creek (WWF, MF), is located in State Water Plan watershed 2-F and 2-E and is classified for Cold Water Fishes, Migratory 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 Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

---

#### **VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities.**

---

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160.*

*Contact: Aaron Redmond, Management Technician, 484.250.5821.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150160 (renewal of PAI011514043)	Mark McGonigal 940 West Sproul Rd. Springfield, PA 19064	Chester	East Whiteland Township	Valley Creek EV
PAD150156	Bill Lasko 1 East Uwchlan Avenue Suite 403 Exton, PA 19341	Chester	East Pikeland Township	Unnamed Tributary to Pickering Creek HQ-TSF
PAD150163	Robert Kappe 200 East Boot Road West Chester, PA 19380	Chester	East Whiteland Township	Broad Run HQ-CWFMMF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150157	Eustace W. & Suzanne E. Mita 2501 Seaport Drive Chester, PA 19013	Chester	Willistown Township	Crum Creek HQ-CWF-MF
PAD150153	George Meyer 2227 Bodine Road Malvern, PA 19355	Chester	Charlestown Township	Pigeon Run HQ
PAD150162 (renewal of PAI011508026-R)	Richard White P.O. Box 374 West Grove, PA 19390	Chester	Penn Township	Unnamed Tributary to East Branch Big Elk Creek HQ-TSF
PAD150167 (renewal of PAI011514011(1))	Drew Reiser 124 Cedar Avenue West Conshohocken, PA 19428	Chester	East Whiteland Township	EV-MF
PAD150158	Peter Sikora 480 East Swedesford Road Wayne, PA 19087	Chester	Tredyffrin Township	Valley Creek EV
PAD150164	Jon Herzog 1300 Virginia Drive Suite 215 Ft. Washington, PA 19034	Chester	Phoenixville Boro	French Creek TSF-MF
PAD150145	Jon Cowart 98 Quail Run Kennett Square, PA 19348	Chester	Elk Township	Big Elk Creek HQ-TSF-MF
PAD150171 (renewal of PAI011509037-R)	Sam Nemroff P.O. Box 240 Wynnewood, PA 19096-0240	Chester	Honeybrook Township	HQ
PAD150161	Charles Gradowski 1570 Baltimore Pike Lincoln University, PA 19352	Chester	Lower Oxford Township	East Branch Big Elk Creek HQ
PAD150165	Scott Risbon 2298 Horseshoe Pike Honeybrook, PA 19344	Chester	Wallace Township	E Br Brandywine Creek HQ-TSF;MF
PAD150169	Louis Smith 1580 Paoli Pike West Chester, PA 19380	Chester	East Goshen Township	Unnamed Tributary to Ridley Creek HQ-TSF
PAD150172 (renewal of PAI011514034)	Robert Tabas 543 Mulberry Lane Haverford, PA 19041	Chester	Honey Brook Township	East Br Brandywine Creek HQ-TSF
PAD150154	Christian Campbell 402 Bayard Road Kennett Square, PA 19348	Chester	New London Township	Unnamed Tributary to Ways Run HQ-TSF-MF
PAD150133	Bill Breigel 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Chester	East Nottingham Township	Unnamed Tributary W Branch Big Elk Creek HQ-TSF
PAD150173 (renewal of PAI011503018-R)	Brian Campbell 402 Bayard Road Kennett Square, PA 19348	Chester	Lower Oxford Township	Unnamed Tributary to West Branch Big Elk Creek HQ-TSF-MF
PAD150174 (renewal of PAI011505060-R)	Brian Campbell 402 Bayard Road Kennett Square, PA 19348	Chester	Lower Oxford Township	Unnamed Tributary to West Branch Big Elk Creek HQ-TSF-MF
PAD150144	Aaron McPeak 2121 North Webb Road Wichita, KS 67206	Chester	East Whiteland Township	Little Valley Creek EV
PAD230040	Elwyn 111 Elwyn Road Elwyn, PA 19063	Delaware	Middletown Township	UNT to Chester Creek TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230038	G. Antonini Realty, Inc. 3605 Winding Way Newtown Square, PA 19073-4057	Delaware	Marple Township	Langford Run WWF-MF
PAD230037	Rose Tree Media School District 308 North Olive Street Media, PA 19063	Delaware	Middletown Township	Spring Run HQ-TSF-MF

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

*Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347, 570-629-3060.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450107	Don Ballou 193 Zeigler Road Leesport, PA 19533	Monroe	Eldred Township	Aquashicola Creek (HQ-CWF, MF)

*Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480121	Sean D. Leonard Sullivan Trail, LLC 642 Washington Ave. Haddonfield, NJ 08033	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210054	Keystone Arms, LLC 120 North Pointe Boulevard Suite 300 Lancaster, PA 17601	Cumberland	North Middleton Township Middlesex Township	Letort Spring Run (HQ-CWF)
PAD010008	E. Frank Buck Jr. & Loni Buck 2080 Mummasburg Road Gettysburg, PA 17325	Adams	Franklin Township	UNT Marsh Creek (CWF) UNT Mummasburg Run (CWF) EV Wetlands Wetlands (CWF)

*Lancaster County Conservation District: 1383 Arcadia Road, Room 200, Lancaster, PA 17601-3149.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360053	Manheim Central School District 281 White Oak Road Manheim, PA 17545	Lancaster County	Manheim Borough	Chiques Creek/WWF, MF

## 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.

Persons 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.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**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>
Daniel Lukens 7075 Old Stage Rd. McClure, PA 17841	Mifflin	2.7	363.45	Swine	NA	Renewal
Garret & Darren Moyer Swine and Dairy 1200 Red Bank Road Middleburg, PA 17824	Snyder	156.9 for manure	809.77	Swine	NA	Renewal
Hamilton Farm, LLC Drew and Karen Derstein Mailing: 10049 Ferguson Valley Road Lewistown, PA 17044 Location: 1000 Sawmill Road Beavertown, PA 17813	Snyder	130.1 0 for manure	805.56	Swine	Partially in an HQ	Renewal
Neil L. Martin 794 Bloody Spring Road Bethel, PA 19507	Berks	110.9	387.41	Broiler Beef Steers	NA	New
Pigeon Hill Farms, LLC 9078 Orchard Rd Spring Grove, PA 17362	York	32.3	399.85	Poultry (Pullets) and Steers	NA	Renewal
Leon Snyder Misty Glen Properties 150 Hain Avenue Lebanon, PA 17046	Lebanon	86.9	1,884.0	Layer	NA	Renewal
Rick Cramer Kreider Farms—Mt. Pleasant 1486 Mt. Pleasant Road Lebanon, PA 17042	Lebanon	90.5	7,396.8	Layer	None	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 PWS permits to construct or substantially modify public water systems.

Persons 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 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, the Department 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.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER****Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**Permit No. 4820501**, Public Water Supply.

Applicant **Bethlehem Authority**  
10 East Church Street  
Bethlehem, PA 18018-6005

Township or Borough, County City of Bethlehem  
**Northampton County**

Responsible Official Mr. Stephen Repasch  
Executive Director  
10 East Church Street  
Bethlehem, PA 18018-6005

Type of Facility Public Water Supply

Consulting Engineer Mr. Ronald B. Madison, PE  
Maser Consulting, P.A.  
941 Marcon Blvd.  
Suite 801  
Allentown, PA 18109-9335

Application Received Date February 7, 2020

Description of Action This application proposes to upgrade Mountaintop Booster Station.

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 1120504**, Public Water Supply.

Applicant **West Carroll Water Authority**  
P.O. Box 328  
Elmora, PA 15737

Township or Borough West Carroll Township

County **Cambria**

Responsible Official Monica Lantzy, Chairman

Type of Facility Water system

Consulting Engineer JHA Companies, Inc.  
466 South Main Street  
Montrose, PA 18801

Application Received Date April 9, 2020

Description of Action Addition of a general corrosion control chemical at the St. Benedict water system.

**Permit No. 1120503**, Public Water Supply.

Applicant **West Carroll Water Authority**  
P.O. Box 328  
Elmora, PA 15737

Township or Borough West Carroll Township

County **Cambria**

Responsible Official Monica Lantzy, Chairman

Type of Facility Water system

Consulting Engineer JHA Companies, Inc.  
466 South Main Street  
Montrose, PA 18801

Application Received Date April 9, 2020

Description of Action Addition of a general corrosion control chemical at the Bakerton water system.

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 1620501**, Public Water Supply.

Applicant **Perryville Water Association**

Township or Borough Perry Township

County **Clarion County**

Responsible Official Drew Miller

Type of Facility Public Water Supply

Consulting Engineer Kerry Tyson, P.E.  
Nittany Engineering  
2836 Earlstown Rd  
Suite 1  
Centre Hall, PA 16828

Application Received Date April 3, 2020

Description of Action Installation of Corrosion Control

*Central Office: Bureau Director, Bureau of Safe Drinking Water, P.O. Box 8467, Harrisburg, PA 17105-8467.*

**Permit No. 9996620**, Public Water Supply.

Applicant **Niagara Bottling, LLC**

Township or Borough Plainfield, Indiana

Responsible Official Andy Peykoff II

Type of Facility Out of State Bottled Water System

Application Received Date April 16, 2020

Description of Action Application to include a Rolling Hills Spring as a new source of supply for the bottled water system.

**MINOR AMENDMENT****Applications Received Under the Pennsylvania Safe Drinking Water Act.**

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Application No. 2518508-MA1**, Minor Amendment.

Applicant **Corry City Municipal Authority**

Township or Borough City of Corry

County **Erie County**

Responsible Official Len Clark

Type of Facility Public Water Supply

Consulting Engineer August Maas, P.E.  
GPI Engineering  
8 Gibson Street  
North East, PA 16428

Application Received Date April 15, 2020

Description of Action New Booster Station

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Application No. 0220509MA, Minor Amendment.**

Applicant	<b>Pittsburgh Water &amp; Sewer Authority</b> 1200 Penn Avenue Pittsburgh, PA 15222
Township or Borough	City of Pittsburgh
County	<b>Allegheny</b>
Responsible Official	Robert Weimer Executive Director Pittsburgh Water & Sewer Authority 1200 Penn Avenue Pittsburgh, PA 15222
Type of Facility	Water system
Consulting Engineer	Mott MacDonald 325 Chestnut Street Philadelphia, PA 19106
Application Received Date	April 14, 2020
Description of Action	Herron Hill liner cover replacement and sodium hypochlorite building project.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

---

#### Acknowledgment of Notices 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 (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons 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 the Department. A NOI to Remediate filed with the Department 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. A person 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 the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(i) 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 person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Myers Residence (Former Parsons' Residence)**, 14369 Dickey's Road, Mercersburg, PA 17236, Peters Township, **Franklin County**. Triad Engineering, 1075 D Sherman Avenue, Hagerstown, MD 21742, on behalf of Griffith Energy Services, Inc., 2510 Schuster Drive, Cheverly, MD 20781, and Jade Myers, 14369 Dickey's Road, Mercersburg, PA 17236, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is to remain a residential house. The Notice of Intent to Remediate was published in *The Public Opinion* on March 5, 2020.

**Dover # 6306 (Former Giant Food Stores, LLC)**, 2130 Palamino Road, Dover, PA 17350, Dover Township, **York County**. Kleinfelder-Advantage Engineers, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of Giant Food Stores, LLC, 1149 Harrisburg Pike, Carlisle, PA 17013, submitted a Notice of Intent to Remediate groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will remain paved and be used as an active fueling station. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News* and *York Daily Record* on April 1, 2020.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Speedway Store No 2923**, 220 East Connelly Boulevard, City of Sharon, **Mercer County**. ATC Groups Services, Inc., 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of, Speedway, LLC, 500 Speedway Drive, Enon, OH 45323 submitted a Notice of Intent to Remediate

ate. Historical use of the property resulted in site soil being contaminated with Arsenic, Chromium, Lead, Benzene, Ethylbenzene, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Barium, Beryllium, Cadmium, Copper, Mercury, Nickel, Selenium, Silver, Zinc, Acetone, 2-Butanone, n-Butylbenzene, sec-Butylbenzene, Isopropylbenzene, p-Isopropyltoluene, Methyl Tert-butyl Ether, n-Propylbenzene, Tetrachloroethene, Toluene, Xylenes (total), Acenaphthene, Acenaphthalene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Chloromethane, Chrysene, Dibenzo[a,h]anthracene, Fluoranthene, Fluorene, Indeno[1,2,3-cd]pyrene, Phenanthrene, Pyrene, Polychlorinated biphenyl 1260 and site groundwater contaminated with Lead, Thallium, Benzene, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Chrysene, Dibenzo[a,h]anthracene, Indeno[1,2,3-cd]pyrene, Arsenic, Barium, Beryllium, Cadmium, Chromium, Copper, Mercury, Nickel, Selenium, Silver, Zinc, Acetone, 2-Butanone, n-Butylbenzene, sec-Butylbenzene, Ethylbenzene, Isopropylbenzene, p-Isopropyltoluene, Methyl Tert-butyl Ether, n-Propylbenzene, Tetrachloroethene, Toluene, 1,2,3-Trimethylbenzene, Xylenes (total), Acenaphthene, Acenaphthalene, Anthracene, Fluoranthene, Fluorene, Phenanthrene, and Pyrene. Intended future use of property will be non-residential. A combination of the Site-Specific and Statewide Health Standards has been selected for remediation. The Notice of Intent to Remediate was published in *The Herald* on December 7, 2019.

### RESIDUAL WASTE GENERAL PERMITS

**Application(s) Received Under the Solid Waste Management Act (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 the Beneficial Use of Residual Waste other than Coal Ash.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**General Permit Application No. WMGR123-NE002. Cabot Oil & Gas Corporation**, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275. A permit renewal application for continued coverage under General Permit WMGR123 for the operation of an oil and gas liquid waste processing facility located in Dimock Township, **Susquehanna County**. The application was received by the Department on March 24, 2020 and deemed administratively complete by the Regional Office on April 15, 2020.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T 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.

### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department 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 the De-

partment, 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 Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department’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 Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department’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.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, 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 the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department 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.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.



## PLAN APPROVALS

**Plan Approval Applications Received 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 applications are in review and no decision on disposition has been reached.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-05004U: Pixelle Specialty Solutions, LLC** (228 South Main Street, Spring Grove, PA 17362-1000) on April 15, 2020, for the installation of two 115 MMBtu/hr natural gas burners in the # 3 Recovery Boiler (ID 037) which will be limited by an annual fuel limitation of 225.49 mmscf of natural gas, upgrade of the PLC software and various hardware of the Hardwood Digester (ID 112) to increase pulp production by 2.1%, and upgrades to the water removal system of paper machines # 1 and # 8 (contained in ID 115) to increase paper production by approximately 8% at the pulp and paper mill in Spring Grove Borough, **York County**.

*Southwest Regional Office, 400 Waterfront Drive, Pitts-burgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**04-00468E: S.H. Bell Company** (644 Alpha Drive, P.O. Box 11495, Pittsburgh, PA 15238). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval: PA-04-00468E to S.H. Bell Company (“S.H. Bell”) for the installation and operation of a portable baghouse rated at 45,000 SCFM at their Stateline Terminal in Ohioville Borough, **Beaver County**. The proposed baghouse will be powered by a John Deere diesel engine rated at 150 bhp. The portable baghouse will be used primarily at the existing Fine Size Screener, Source 102 and a part of Miscellaneous Material Handling Operations, Source 105. The total material throughput through Fine Size Screener (Source ID 102) at this facility is currently limited in State Only Operating Permit No. OP-04-00468 (“OP-04-00468”) to the following on a rolling 12-month basis:

- 1,226,400 tons as potential materials
- 744,425 tons of manganese containing materials

There will be a decrease in manganese particulate matter due to the installation and operation of the proposed baghouse; however, the facility-wide emissions will increase due to installation and operation of a John Deere engine. The estimated emission increases from this project are: NO<sub>x</sub> = 0.43 tpy; CO = 5.39 tpy; SO<sub>x</sub> = 1.01 tpy; PM/PM<sub>10</sub> = 0.02 tpy; VOC = 0.20 tpy; and HAPs = 0.02 tpy.

This authorization is subject to State regulations including 25 Pa. Code Chapters 123 and 127. Plan approval conditions include operational restrictions, monitoring requirements, work practice standards, associated record-keeping, and reporting requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the current SOOP application in accordance with 25 Pa. Code Subchapter F. S.H. Bell’s Plan Approval application, the Department’s Air Quality

Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

To request a review of the Plan Approval Application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality Plan Approval for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to jparihar@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00468E) 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 business 30-days after the date of this publication.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**06-05069AC: East Penn Manufacturing Co., Inc.** (P.O. Box 147, Lyon Station, PA 19536) for the installation of a new fabric filter dust collector in the S-1 Facility and modification of dust collectors C59/C59A and C64/C64A in the A-3 Facility. These facilities are located in Richmond Township, **Berks County**. The expected increases in facility emissions as a result of the changes proposed are: NO<sub>x</sub> by 0.02 tpy, CO by 0.04 tpy, PM by 5.44 tpy, Pb by 0.54 tpy, SO<sub>2</sub> by 0.000256 tpy, and VOC by 0.00235 tpy. The facility is a Title V facility. DEP’s review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**01-05037D: Gettysburg Energy & Nutrient Recovery Facility, LLC** (3917 Oxford Road, York Springs, PA 17372) for the reactivation and modification of the Get-

tysburg Energy & Nutrient Recovery Facility located in Tyrone Township, **Adams County**. The expected potential facility emissions as a result of the changes proposed, after consideration of enforceable throughput restrictions, are: 99.0 tons per year of NO<sub>x</sub>, 45.42 tons per year of VOCs, 22.38 tons per year of SO<sub>x</sub>, 5.26 tons per year of HCl, 1.88 ton per year of CO, and 12.11 tons per year of total PM. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, and 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Chapter 127.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager; (570) 327-3648.*

**60-00027A: Mifflinburg Area School District** (178 Maple St., Mifflinburg, PA 17844) for the construction of an 8.5 MMBtu/hr, biomass fired boiler equipped with a multiple cyclone collector at its campus in Mifflinburg, Borough, West Buffalo and Buffalo Townships, **Union County**. The Department of Environmental Protection's (Department's) review of the information submitted by the company indicates that the air contamination source will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination source and the emission of air contaminants including 25 Pa. Code Chapter 123, the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. Based on this finding, the Department proposes to issue a plan approval for the proposed operation. The emissions from the biomass boiler will not exceed the following limits: 0.22 lb/MMBtu and 8.19 tons per 12-consecutive month period of nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>), 0.16 lb/MMBtu and 5.96 tons per 12-consecutive month period of carbon monoxide (CO), 0.017 lb/MMBtu and 0.63 ton per 12-consecutive month period of volatile organic compounds (VOCs), 0.025 lb/MMBtu and 0.93 ton per 12-consecutive month period of sulfur oxides (SO<sub>x</sub>, expressed as SO<sub>2</sub>), 0.23 lb/MMBtu and 8.56 tons per 12-consecutive month period of particulate matter (PM/PM<sub>10</sub>/PM<sub>2.5</sub>). In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: the biomass boiler will be fired only on virgin wood chips; the biomass boiler shall be equipped with a system to optimize combustion conditions to ensure good combustion

and air pollution control practices; the multiple cyclone shall be equipped with a pressure differential gauge that shall be routinely monitored; the conveyance of the biomass fuel and combustion ash shall be conducted such that the release of fugitive dust is minimized; the biomass boiler shall be tested for emissions of NO<sub>x</sub>, CO and PM; routine monitoring of the boiler stack and boiler house area. The facility is a State Only facility. If the Department determines that the biomass boiler is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 60-00027A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: David Balog, New Source Review Chief, (814) 332-6940.*

**25-920E: Waste Management of PA—Lake View Landfill** (851 Robison Road East, Erie, PA 16509), for the proposed installation of an 1,175 scfm open flare. The facility is located in Summit Township, **Erie County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 25-920E is for the proposed installation of an 1,175 scfm open flare. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 101 (Landfill)
  - The total NO<sub>x</sub> emissions from the Enclosed Ground Flare (C101) and the Open Flare (C101C) shall not exceed 28.0 tpy based on a 12-month rolling total.
  - Subject to 40 CFR 60 Subpart WWW.
  - The permittee shall maintain records of the time spent (per incident) operating the open flare above 700 cfm.
  - The total landfill gas combusted in open flare(s) (C101C) at a facility shall not exceed the minimum flow necessary to support combustion in the facility's enclosed flare (C101), based on manufacturer specified turn-down ratio and Btu requirements, if the enclosed flare (C101) has unused capacity to support the landfill gas flow. The minimum flow necessary to support combustion in the facility's enclosed flare (C101) is 700 cfm. The Open Flare (C101C) may operate above the 700 cfm in emergency situations (i.e. Enclosed Ground Flare (C101) is down for maintenance/repair) and during engine shutdowns for a period of up to 4 hours (per incident) to allow for the startup of the enclosed flare or restart of the engine.
  - The open flare (C101C) must be designed in accordance with the requirements of 40 C.F.R. Section 60.18 [40 C.F.R. Section 60.752(b)(2)(iii)(A)].

- The landfill owner or operator will monitor, on a daily basis (except holidays and weekends), the flow in dry standard cubic feet or the temperature and flow rate of the landfill gas combusted in the open flare (C101C), unless 40 C.F.R. Part 60, Subpart WWW requires more frequent monitoring.

- The landfill owner or operator will record, on a daily basis (except holidays and weekends), the amount of landfill gas combusted in the flare (C101C). All flares (C101C) shall be equipped with an automatic pilot ignition source.

- The open flare (C101C) shall be operated with a flame present at all times.

- The open flare (C101C) shall be equipped with an automatic shut-off mechanism designed to immediately stop the flow of gases when a flame-out occurs.

- In addition to the requirements of 40 C.F.R. Section 60.18, open flares (C101C) shall be located in a manner to mitigate visual impacts by meeting any one of the following requirements:

- Blocking the view of the flare (C101C) with screening or plantings;

- Erecting a berm or similar earthwork barrier (berm) approved by the Waste Management;

- Locating the open flare (C101C) behind an existing berm, or placing it in a hollow or other depression;

- Placing the flare (C101C) at least 900 feet from the nearest occupied dwelling for areas of the landfill first permitted after December 23, 2000, and at least 500 feet for areas of the landfill permitted after April 8, 1988, and before December 23, 2000, (an occupied dwelling that is owned by the landfill or any entity affiliated with the landfill is not deemed an occupied dwelling); or

- Installing a shroud that has been designed to minimize visible flames during normal operation.

- All conditions from the latest facility operating permit, currently with an issue date of June 13, 2016, remain in effect unless otherwise modified in this plan approval.

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) 332-6340.

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 [25-920E] 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 Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only Operating Permits or §§ 127.521 to 127.524 for Title V operating permits.

### OPERATING PERMITS

#### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**47-00014: United States Gypsum Company** (86 PPL Road, Danville, PA 17821) for a significant permit modification to the Title V operating permit for their Washingtonville Plant facility in Derry Township, **Montour County**. The Title V permit for this facility was last revised on August 1, 2019, and it will expire on March 22, 2023. The facility's main sources include combustion units, dryer and hammer mills, calcining kettles, multiple raw material storage, handling and processing operations, and the board kiln dryer. The type and quantity of pollutants emitted on a facility-wide potential emission basis are, as follows: NO<sub>x</sub>—90 tons per year (tpy), CO—150 tpy, SO<sub>x</sub>—1 tpy, particulate matter (PM) and PM<sub>10</sub>—100 tpy, VOCs—49 tpy, HAPs—15 tpy, and GHGs. This significant permit modification or revision is for the synthetic gypsum dryer and hammer mills (Source ID P101 and P102) as well as the ID C101 and C102 fabric collectors, to incorporate the new Compliance Assurance Monitoring (CAM) plan for these emission units for required compliance monitoring for the applicable Best Available Technology (BAT) standard of 0.009 gr/dscf for PM and PM<sub>10</sub>, in accordance with applicable CAM requirement under 40 CFR Part 64. The CAM plan proposes to include the use of fabric filter bag leak detection systems in conjunction with the existing visual stack emissions monitoring for the P101 and P102 emission units, to verify compliance with the provisions as applicable for the mills pursuant to 40 CFR Part 64. Based on the information provided, the revision to include bag leak detection monitoring is found to be satisfactory by the Department, pursuant to the applicable CAM criteria [40 CFR 64.3]. In accordance with 40 CFR 64.3(d)(2)(vi), the proposed systems will be/are required to be designed such that the new monitoring will alert operating personnel if/when an increase in PM emissions, expressed as relative or absolute PM loadings, over a preset level indicative of compliance is detected, in accordance with the monitoring plan required for Department review and approval no later than 90 days following issuance. In addition, the revised permit requires that the

bag leak detection systems are installed, calibrated, operated and maintained in accordance with the manufacturer's recommendations and/or specifications and with good engineering practices for continuous baghouse performance monitoring based on measurements of the relative or absolute PM loadings (outlet). Moreover, each system is required to be maintained in continuous operation for all times when its respective process and air cleaning device are in operation. Accordingly, the Title V permit revision incorporates all applicable requirements for Source IDs P101 and P102, including appropriate testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance with the applicable regulatory requirements including (but may not be limited to) the BAT standard established pursuant to 25 Pa. Code §§ 127.1 and 127.12 and the CAM requirements at 40 CFR Part 64. The applicable requirements for Source IDs P101 and P102 were derived from 25 Pa. Code Chapters 121 and 145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.*

**09-00157: Walter R. Earle—Morrisville LLC** (1800 Route 34, Bldg. 2, Suite 205, Wall, NJ 07719) for the renewal of a Synthetic Minor Operating Permit in Falls Township, **Bucks County**. The facility is a drum mix asphalt plant facility. The primary source of air emissions from the facility is the Drum Mix Asphalt Plant, Source ID 101, which operates on natural gas. This source includes a recycled asphalt pavement (RAP) plant, load-out for four (4) identical storage silos, and fugitive sources (vehicular traffic, handling of aggregate material, and storage piles). The asphalt plant also operates a natural gas-fired hot oil heater, used to heat the 4 storage silos, four (4) liquid asphalt cement tanks (30,000 gallons, each), and two (2) diesel storage tanks (30,000 gallons, each). The hot oil heater has been deemed an insignificant source. A Knockout Box/Baghouse, Source ID C01, is used to control emissions of PM from the asphalt plant. Water suppression is used to control fugitive emissions of PM from the fugitive sources. Emissions from the facility are restricted to the following: 12.51 TPY for NO<sub>x</sub>, 29.95 TPY for CO, 10.84 TPY for VOC, 7.79 TPY for PM, 2.48 TPY for SO<sub>x</sub>, and 2.03 TPY for HAP. The permit will continue to contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**07-03053: Keystone Cremation Center, LLC** (14443 South Eagle Valley Road, Tyrone, PA 16686-8132) to issue a State Only Operating Permit for the crematory located in Snyder Township, **Blair County**. This is a renewal of

the State-only permit. The potential emissions are estimated at 4.22 tpy of NO<sub>x</sub>, 3.02 tpy of CO, 3.16 tpy of PM<sub>10</sub>, 1.44 tpy of SO<sub>x</sub>, and 0.32 tpy 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.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**17-00021: West Branch Area School District** (516 Allport Cutoff, Morrisdale, PA 16858), the Department intends to issue a State Only (Natural Minor) permit for their existing source operations in Morris Township, **Clearfield County**. This facility includes these sources, as follows: two 9.165 MMBtu/hr distillate fired boilers, small (<1 MMBtu/hr) combustion sources, a 130-hp biomass fired boiler (approx. 5.8 MMBtu/hr) equipped with a multiple cyclone for particulate control, and two emergency generator engines (one diesel and one propane). Facility-wide emission calculations for nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>), carbon monoxide (CO), volatile organic compounds (VOC), sulfur oxides (SO<sub>x</sub>), PM<sub>10</sub> & PM<sub>2.5</sub>, and hazardous air pollutants (HAP) were determined, as follows: 19.2 tons NO<sub>x</sub> per year (tpy); 14.6 tpy CO; 1.1 tpy VOC; 38.5 tpy SO<sub>x</sub>; 7.1 tpy PM<sub>10</sub> & PM<sub>2.5</sub>; and 1.2 tpy HAP. According to our findings based on the information provided to the Department, the renewal permit includes all applicable air quality regulatory requirements pertaining to the sources in operation at the West Branch Area S.D. facility including appropriate testing, monitoring, recordkeeping, reporting and work practice permit condition requirements to verify compliance. The applicable regulatory requirements were derived from 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**41-00075: Construction Specialties, Inc.** (P.O. Box 380, Muncy, PA 17756) to issue a renewal State Only (Natural Minor) Operating Permit for their Montgomery facility located in Montgomery Borough, **Lycoming County**. The facility is currently operating under State Only Operating Permit 41-00075. The facility's main sources include a natural gas fired boiler, a surface coating operation consisting of three (3) spray booths, and a woodworking operation. The facility has potential emissions of 0.50 ton per year (tpy) of carbon monoxide, 0.60 tpy of nitrogen oxides, 0.01 tpy of sulfur oxides, 8.03 tpy of volatile organic compounds, 8.82 tpy of particulate matter less than 10 microns in size, 8.82 tpy of particulate matter less than 2.5 microns in size, and 1.86 tpy of hazardous air pollutants (HAPs). The emission limits, work practice standards along with testing, monitoring, recordkeeping, and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williams-

port, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**04-00719: Lehigh Cement Company/Aliquippa Terminal** (100 Woodlawn Road, Aliquippa, PA 15001) for the operation of a cement transfer terminal and lime storage facility located in the City of Aliquippa, **Beaver County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the previously-mentioned facility.

The subject facility consists of rail hopper unloading, bucket elevator, cement storage silos, and trucking loading. Particulate emissions are controlled by enclosed transfer points and a baghouse. The facility has the potential to emit 5.9 tpy of PM<sub>10</sub>. The proposed SOOP contains emission restriction, testing, monitoring, record-keeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 State Only Operating Permit (04-00719) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Lehigh Cement Company State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Lehigh Cement Company State Only Operating Permit 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 Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

All comments must be received prior to the close of business 30 days after the date of this publication.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**03-00270: Alliance Petroleum Clark Compressor Station** (101 McQuiston Drive, Jackson Center, PA 16133), the Department intends to issue the Natural Minor State Only Operating Permit for the natural gas compressor station located at 196 Clarks Hollow Road in Kiskiminetas Township, **Armstrong County**. The sources at the facility include a 60 HP 4SRB compressor engine, a 50 Bbl. tank for produced water, pneumatic devices, venting/blowdown and fugitive emissions. The actual emissions reported from the facility for 2019 were 10.67 TPY NO<sub>x</sub>, 3.7 TPY CO, 0.005 TPY PM<sub>10</sub>, 0.0003 TPY SO<sub>x</sub>, 0.45 TPY VOC, and 0.03 TPY Formaldehyde.

HAPs combined are less than 1 TPY. The non-emergency engine is subject to the Federal Requirements of 40 CFR 63 Subpart ZZZZ pertaining to Stationary Reciprocating Internal Combustion Engines.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal for a Natural Minor Operating Permit for the following facility:

**OP19-00011: Falls Center Condominium Association** (3300 Henry Avenue, Philadelphia, PA 19129) for the operation of air emission sources in a residential, office, and retail campus facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are five (5) boilers firing natural gas, of which one (1) rated 4.7 MMBtu/hr and four (4) rated less than 2 MMBtu/hr each, and three (3) emergency generators firing diesel fuel, of which two (2) rated 664 kW each and one (1) rated 283 kW.

The changes made as part of the renewal includes the following:

- Updated the Facility Inventory List in Table A1 based on AMS inspection from January 17, 2019.
- Updated the process flow diagram for consistency with Table A1.
- In Section D: Source Specific Requirements
  - o Updated Condition D.2.(b)(4) to update the definition of emergencies and modify the allowable hours for testing, engine tuning, maintenance checks, and readiness testing of each emergency generator to 100 hours per calendar year.
  - o Updated the ozone season requirement in Condition D.2.(b)(5) to add the requirement to record AQI forecast if the emergency generator is tested before 7:30 AM and AQI or color code if it is tested after 5 PM.
  - o Specified that compliance with the PM emission limit of 25 Pa. Code § 123.13(c)(1)(i) shall be based only on Method 5.
  - o Updated the monitoring and recordkeeping requirements.
- Added Section E: Non-Applicable Requirements.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits 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.*

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**39-00006G:** Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval # 39-00006G to **American Craft Brewery LLC**, 7880 Penn Drive, Breinigsville, PA 18031-1508, for their plant located in Upper Macungie Township, **Lehigh County**. The facility currently operates pursuant to a Title V Operating Permit No. 39-00006. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 39-00006G is to memorialize the purchase of emission reduction credits (ERCs) for their facility. The emission reduction credits are needed to satisfy requirements specified in Plan Approval 39-00006F. Plan Approval 39-00006F was issued for the construction of a new can line to provide packaging flexibility to react to the increasingly high demand of canned products relative to products sold in other containers (i.e., bottles, kegs, and Bag-in-Box). Since the project was subject to the New Source Review requirements specified in 25 Pa. Code §§ 127.201—127.217 for volatile organic compounds (VOCs), the permittee was required to purchase 79 tons of VOC ERCs prior to increase from 5,000,000 barrels per year (BBL/yr) to 6,250,000 BBL/yr. ACB submitted a Request for Approval of Inter-precursor Offset Trading to PADEP for the inter-precursor pollutant trading (IPT) of oxides of nitrogen (NO<sub>x</sub>) ERCs in place of VOC ERCs on an equivalent basis. PADEP submitted a written request for IPT approval to the United States Environmental Protection Agency (U.S. EPA) Region 3. U.S. EPA approved the NO<sub>x</sub> ERCs in place of VOC ERCs.

ACB signed an agreement to purchase 79.00 tons/yr of NO<sub>x</sub> ERCs from Element Markets Emissions, LLC which were generated by the shutdown of NRG REMA, LLC's Titus Station facility located in Cumru Township, Berks County. These ERCs are listed on PADEP's ERC Registry, showing the ERCs have been certified by PADEP to be creditable emissions reductions. ACB is requesting PADEP to approve these ERCs for transfer and use in accordance with 25 Pa. Code § 127.208.

The Department's review of the information submitted by the company indicates that the proposed ERCs will comply with the requirements of 25 Pa. Code § 127.208, relating to ERC use and transfer requirements. Based on these findings, the Department intends to approve the application and issue a plan approval for the transfer and use of the ERCs. In order to assure compliance with the applicable regulations, DEP will place conditions in the plan approval in order to make the purchased ERCs Federally enforceable and non-expiring.

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 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00006G 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 Ray Kempa, Environmental Engineer Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 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 will also address the 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. A copy of the application is available for inspection at the District Mining Office indicated above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as 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 the Department 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).

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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 contain the name, address and telephone number of the requestor; the application number; 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 was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

*Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

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 <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied 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; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

*Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100, (Contact: Bonnie Herbert).*

**63141301 and NPDES Permit No. PA0215431. Consol Mining Company LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to revise the permit and related NPDES permit to add 1.6 surface acre for three previously approved boreholes and piping for the Westland Mine in Chartiers Township, **Washington County**, affecting 1.6 proposed surface acre. No additional discharges. The application was considered administratively complete on April 9, 2020. Application received: February 11, 2020.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814.472.1900, (Contact: Melanie Wigfield).*

**Permit 11803038 and NPDES No. PA0121533. Cooney Brothers Coal Co.**, P.O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface mine in Ogle and Adams Townships, **Somerset and Cambria Counties**, affecting 1,589.8 acres. Receiving streams: unnamed tributaries to/and Babcock Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 13, 2020.

**Permit 5679123 and NPDES No. PA0599166. Heritage Coal & Natural Resources, LLC**, 550 Beagle Road, Rockwood, PA 15557, renewal of NPDES permit in Southampton Township, **Somerset County**. Receiving streams: unnamed tributary to/and Shoemaker Run, classified for the following uses: high quality coal water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 15, 2020.

**Permit 56950101 and NPDES No. PA0213012. Heritage Coal & Natural Resources, LLC**, 550 Beagle Road, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County** affecting 106.5 acres. Receiving streams: unnamed tributary to/and Piney Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 15, 2020.

*Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**14090102 and NPDES PA0257117. RES Coal LLC**, 224 Grange Hall Road, Armagh, PA 15920, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Rush Township, **Centre County** affecting 236.6 acres. Receiving stream(s): Trout Run, Unnamed Tributary to Trout Run, and Unnamed Tributary to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 9, 2020.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).*

**65-20-01 and NPDES Permit No. PA0278459. David L. Patterson, Jr.**, 12 Short Cut Road, Smithfield, PA 15478. Application for commencement, operation and restoration for a Government Financed Construction Contract, located in Salem Township, **Westmoreland County**, affecting 12.8 acres. Receiving streams: unnamed tributaries to Beaver Run

and Beaver Run reservoir, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: April 13, 2020.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining 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 exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Noncoal Applications Received*

*Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**6774SM1 and NPDES PA0594695** renewal for an existing NPDES on a large noncoal surface mining site located in Perry Township, **Snyder County** affecting 87.75 acres. Receiving stream(s): North Branch Mahantango Creek classified for the following use(s): TSF, MF. Application received: April 13, 2020.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**3372SM25A and NPDES No.: PA0591963. Hanson Aggregates BMC, Inc.**, 2200 Springfield Pike, Connellsville, PA 15425-6412. NPDES renewal application for continued mining to an existing large noncoal surface mine located in Bullsken Township, **Fayette County**, affecting 451.8 acres. Receiving stream(s): unnamed tributaries to Breakneck Run and Youghiogheny River classified for the following use(s): WWF. There is no downstream potable water supply intake from the point of discharge. Application Received: March 13, 2020.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed 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 (Department) 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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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 Chapter 77 are pH 6 to 9 and other parameters the Department 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.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91–96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30-days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### Coal NPDES Draft Permits

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**NPDES No. PA0220043 (Mining Permit No. 4475SM10), Harbison Walker International, Inc.**, 1305 Cherrington Parkway, Suite 100, Moon Township, PA 15108, renewal of an NPDES permit for reclamation only with post-mining water treatment in Woodward Township, **Clearfield County** affecting 12.0 acres. Receiving stream(s): unnamed tributary to Upper Morgan Run classified for the following use(s): CWF. This receiving stream is included in the North Branch Upper Morgan Run TMDL. Application received: September 3, 2019.

The following outfall discharges to Upper Morgan Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001 (TF01)	N	Post-mining Discharge Treatment

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 001 (All Weather Conditions) 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)	1.7	3.4	4.2
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)			Monitor & Report
Flow (gpm)			Monitor & Report
Temperature (°C)			Monitor & Report
Specific Conductivity (µmhos/cm)			Monitor & Report

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

**NPDES No. PA0609501 (Mining Permit No. 17814033), Phillip Reese Coal Company, Inc.**, P.O. Box 87, Karthaus, PA 16845, renewal of an NPDES permit for bituminous coal surface mining in Karthaus Township, **Clearfield County**, affecting 412.8 acres. Receiving stream(s): Saltlick Run and unnamed tributary to Saltlick Run classified for the following use(s): HQ-CWF. This receiving stream is waiting for a TMDL study. Application received: January 30, 2020.

The following outfalls require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
005 SP7	N	Sediment
008 TP1	N	Treatment
009 SP4	N	Sediment
037 ST1	N	Sediment

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. Instantaneous maximum BAT limits will be applied to the outfall effluent entering the infiltration galleries for the protection of the groundwater.

The following outfalls discharge to unnamed tributary to Saltlick Run and Saltlick Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
005	N	Sediment Pond Emergency Spillway
009	N	Sediment Pond Emergency Spillway
037	N	Sediment Pond Emergency Spillway

The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. Effluent limits for the emergency spillway are as follows:

*Outfalls: 005, 009, and 037 Sediment Pond Emergency Spillways*

*(During >10-yr/24-hr Precipitation Event)*

*Parameter*

*30-Day  
Average*

*Daily  
Maximum*

*Instant.  
Maximum*

Total Suspended Solids (mg/l)

N/A

N/A

90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**NPDES No. PA126375 (Mining Permit No. 03803044), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of NPDES permit for one stormwater outfall in East Franklin Township, **Armstrong County**, affecting 63.3 acres. Receiving stream(s): UNT to Limestone Run, classified for the following use(s): WWF. The first downstream potable water supply intake from the point of discharge is Kittanning Suburb Joint Water Authority. Application received: May 20, 2019.

The following outfalls drain to the Monongahela River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	SWO

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	3.0	6.0	7.0
Total Manganese (mg/L)	2.0	4.0	5.0
Total Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35	70	90
Sulfates (mg/L)			
Specific Conductivity (µmhos/cm)			
Alkalinity must be greater than acidity at all times.			
pH must be between 6.0 and 9.0 at all times.			

Monitor and Report  
Monitor and Report

*Noncoal NPDES Draft Permits*

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**NPDES No. PA0278432 (SMP No. 03200801), Allegheny Metals & Minerals, Inc.**, 733 Washington Road, 5th Floor, Pittsburgh, PA 15228, new NPDES permit for a small noncoal permit application, located in Gilpen Township, **Armstrong County**, affecting 1.41 acre. No point source discharges are proposed. Receiving stream(s): Unnamed tributary to Allegheny River, classified for the following use(s): WWF. The first downstream potable water supply intake is in Freeport, PA. Application received: March 5, 2020.

## 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. 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. Persons 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 Environ-

mental 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 Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request

are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### 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)).

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401.*

**Permit No. E0901220-021, Gateway to New Hope, LLC**, The Riverhouse at Odette's, 274 South River Road, New Hope, PA 18938, New Hope Borough, **Bucks County**, ACOE Philadelphia District.

To amend and maintain the existing permit No. E09-990 to include the following within the 100-year floodplain of the Delaware River (WWF, MF) associated with The Riverhouse at Odette's:

1. Realign two outfall structures at north and south bridges as proposed by DCNR.

2. Propose six new utility crossings to serve The Riverhouse at Odette's.

The site is located at about 2,000 feet southeast of South Main Street (S.R. 32) and Windy Bush Road (Lambertville, PA USGS Quadrangle, Latitude 40.3536; Longitude 74.9486) in New Hope Borough, Bucks County.

**Permit No. E4601220-027, 900 River Road, LLC**, 265 Franklin Street, Suite 1001, Boston, MA 02110, Upper Merion Township, **Montgomery County**, ACOE Philadelphia District.

900 River Road, LLC is applying for a water obstruction and encroachment permit to construct and maintain permanent parking lot access within a palustrine emergent wetland (PEM-WL-01) associated with the construction of an industrial warehouse facility. The proposed project will result in 19,167 square feet (0.440 acre) of permanent wetland impact associated with the construction of driveway access and grading for stormwater facilities and wetland mitigation for an industrial warehouse facility. To mitigate for loss of wetland, the construction of maintenance of 20,474 square feet (0.470 acre) of new wetland area is proposed on-site. This project is located at 900 River Road south of the Swedeland and River Roads intersection in Upper Merion Township, Montgomery County (USGS PA Schuylkill; Norristown Quadrangle—Latitude 40.083719 N, Longitude 75.323547 W).

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

**E3902220-023. Upper Saucon Township**, 5500 Camp Meeting Road, Center Valley, PA 18034, in Upper Saucon Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Limeport Pike Culvert Replacement and Stream Restoration Project:

1. To remove an existing structure and to construct and maintain a stream crossing of a UNT to Saucon Creek (CWF, MF) consisting of a 45-LF, 7-foot wide, 4.5-ft high concrete box culvert having concrete wingwalls and an invert depressed 1-foot below natural streambed elevation. This culvert will convey a UNT to Saucon Creek (CWF, MF) below Limeport Pike (S.R. 2029). The purpose of this impact is to replace an undersized crossing.

2. A utility line crossing of a UNT to Saucon Creek (CWF, MF) consisting of an 8-inch diameter, concrete-encased ductile iron sanitary sewer line. The purpose of this impact is to service "Saucon Country Estates," a future planned residential subdivision.

3. A utility line within the floodway of a UNT to Saucon Creek (CWF, MF) consisting of an 8-inch diameter, PVC sanitary sewer line and two (2) concrete manholes. The purpose of this impact is to service "Saucon Country Estates," a future planned residential subdivision.

4. A channel change of a 446-LF segment of a UNT to Saucon Creek (CWF, MF) consisting of a 4-foot wide trapezoidal channel having 2:1 side slopes, a 1.14% longitudinal slope, and a 2-foot wide low flow channel lined with a 9-inch thick layer of river rock and underlain with geotextile fabric. The purpose of this impact is to eliminate several abrupt bends in the channel and create a more gradual stream alignment, decrease scour/erosion along the eastern shoulder of Limeport Road, and increase positive drainage for properties adjoining the stream.

5. A channel change of a 220-LF segment of a UNT to Saucon Creek (CWF, MF) consisting of a 6-foot wide trapezoidal channel having 2:1 side slopes, a 1.25% longitudinal slope, and lined with erosion control matting. The purpose of this impact is to align the stream channel with the culvert carrying a UNT to Saucon Creek (CWF, MF) below Limeport Pike (S.R. 2029), which has been re-located approximately 15-feet northward.

The project is located at the intersection of Limeport Pike (S.R. 2029) and Ackermans Lane (T-850) (Allentown East, PA Quadrangle Latitude: 41° 31' 15.54" Longitude: 75° 26' 57.79") in Upper Saucon Township, Lehigh County. (Allentown East, PA Quadrangle, Latitude: 40° 31' 15.54"; Longitude: 75° 26' 57.79").

**E5402120-021 Pa Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Schuylkill Haven Borough, **Schuylkill County**, Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 44.69-foot wide two-span pre-stressed concrete spread box beam bridge carrying SR 0443 across the Schuylkill River (CWF, MF) having a 134.82-foot span and a 12.4-foot underclearance.

The proposed project is located along SR 0443 (Friedensburg, PA Quadrangle, Latitude: 40° 37' 26.57"; Longitude: 76° 10' 29.14") in Schuylkill Haven Borough, Schuylkill County.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E3403219-002. Marvin Zimmerman**, P.O. Box 26, Oakland Mills, PA 17076, in Walker Township, **Juniata County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain a 20.0-foot long 142.0-inch wide by 91.0-inch high corrugated metal pipe with gabion end walls in Locust Run (CWF, MF), impacting 0.01 acre of palustrine emergent wetlands, for the purpose of providing access to an existing farm field. The project is located approximately 0.45 mile north of the intersection of Locust Run Road and William Penn Highway (Latitude: 40° 33' 40.72" N; Longitude: 77° 16' 32.75" W) in Walker Township, Juniata County. Wetland impacts are de minimis and replacement is not required.

*Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E4206120-023, PADOT, Engineering District 2-0, 70 PennDOT Drive, Clearfield, PA 16830. SR 0146-A04-0170-0000 Bridge Replacement, in Norwich Township, McKean County, ACOE Pittsburgh District (Crosby, PA Quadrangle N: 41°, 42', 38"; W: 78°, 24', 40").**

To remove the existing structure and to construct and maintain a prestressed spread box beam bridge having a clear span of 30.0-ft on a 60° skew, an underclearance of

2.70-ft, and an out-to-out length of 32.09-ft on SR 0146, Section A04, Segment 0170, Offset 0000 over Red Mill Brook (CWF). The project will result in 72-ft of permanent stream impacts, 125-ft of temporary stream impacts, 0.01-ac of permanent wetland impacts and 0.01-ac of temporary wetland impacts.

**DAM SAFETY**

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.*

**D18-062. City of Lock Haven, 20 East Church Street, Lock Haven, PA 17745.** To modify, operate and maintain the Warren H. Ohl Dam across McElhatten Creek (CWF, MF), impacting 350 feet of stream, for the purpose of providing more spillway capacity to comply with Department Regulations. (Loganton, PA Quadrangle Latitude: 41° 4' 23"; Longitude: 77° 19' 24") in Greene Township, **Clinton County.**

**STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received 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 the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
20003	Thomas Jefferson University 1020 Walnut Street Philadelphia, PA 19107 Attn: John Ardent	Bucks	Falls Township	1 AST storing diesel fuel	30,000 gallons

**ACTIONS**

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

**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action 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).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits.

The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of

sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

Important legal rights are at stake, however, so individuals should contact 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.

### I. NPDES Renewal Permit Actions.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0065587 (Storm Water)	JFR Salvage, Inc. 6500 Sullivan Trail Wind Gap, PA 18091	Northampton County Plainfield Township	Unnamed Tributary to Little Bushkill Creek (HQ-CWF) (1-F)	Yes
PA0035271 (Sewage)	Tall Timbers Village MHP TTV 6 Factoryville, PA 18419	Lackawanna County La Plume Township	South Branch Tunkhannock Creek (TSF, MF) (4-F)	Yes
PA0063924 (Sewage)	Delaware Canal State Park— Teddy Roosevelt Comfort Station 11 Lodi Hill Road Upper Black Eddy, PA 18972	Northampton County Williams Township	Delaware River (WWF, MF) (2-D)	Yes
PA0064106 (Sewage)	Benton Nicholson Joint Sewer Authority WWTP 123 Cobb Hill Road Nicholson, PA 18446	Wyoming County Nicholson Township	Unnamed Tributary to South Branch Tunkhannock Creek (CWF) (4-F)	Yes

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0070190 (Sew) Issued	Allegheny East Conference 112 Red Corner Road Allegheny East Conf. Douglassville, PA 19518	Berks County Douglass Township	Manatawny Creek (CWF) in Watershed(s) 3-D	N
PA0029572 (Sew) Issued	Paramount Senior Living at Fayetteville Facility LLC 6375 Chambersburg Road Fayetteville, PA 17222	Adams County Franklin Township	Clear Run (HQ-CWF) in Watershed(s) 13-C	N
PA0229091 (CAFO) Issued	GNH Farms LLC 224 White Church Road Elysburg, PA 17824-9161	Columbia County Cleveland Township	Unnamed Tributary to Mugser Run (HQ-CWF) and Unnamed Tributary to Mugser Run (HQ-CWF, MF) in Watershed(s) (5-E)	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0014575 (Industrial)	Jersey Shore Area Joint Water Authority P.O. Box 5046 Jersey Shore, PA 17740-5046	Lycoming County Anthony Township	Larrys Creek (EV (existing use)) (10-A)	Yes

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0093866 (Industrial)	Southern Alleghenies Landfill 843 Miller Picking Road Davidsville, PA 15928-8917	Somerset County Conemaugh Township	Unnamed Tributary to Stonycreek River (CWF) and Stonycreek River (WWF) (18-E)	No

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0272809 (Sewage)	Peter Rabbitt SRSTP 1415 Elk Street Franklin, PA 16323	Crawford County Greenwood Township	Williams Run (WWF) (16-D)	Yes
PA0103870 (Sewage)	Greenville MHP 504 Brookhaven Road Wallingford, PA 19086	Mercer County Hempfield Township	Unnamed Tributary to the Little Shenango River (TSF) (20-A)	Yes
PA0222984 (Sewage)	Spartansburg Borough STP P.O. Box 222 Spartansburg, PA 16434-0222	Crawford County Spartansburg Borough	East Branch Oil Creek (CWF) (16-E)	Yes
PA0210358 (Sewage)	Paul T Green SRSTP 842 Quaker Hill Road Warren, PA 16365-4283	Warren County Glade Township	Unnamed Tributary to Conewango Creek (CWF) (16-B)	Yes

## **II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.**

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0288039**, Sewage, SIC Code 8800, **Denise Slagle**, 149 Springfield Drive, New Castle, PA 16105-5835.

This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0271934**, Storm Water, SIC Code 2400, **Gould Inc.**, 184 Gould Lane, Mahaffey, PA 15757-6830.

This proposed facility is located in Henderson Township, **Jefferson County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated stormwater.

**NPDES Permit No. PA0091782**, Sewage, SIC Code 4952, **West Hills Area Water Poll Control Authority**, 257 Linde Road, Kittanning, PA 16201-4719.

This existing facility is located in North Buffalo Township, **Armstrong County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated sewage.

**NPDES Permit No. PA0287946**, Sewage, SIC Code 8800, **Kenneth McChesney**, 636 Reed Road, Corry, PA 16407-3012.

This proposed facility is located in Spring Creek Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0287997**, Sewage, SIC Code 8800, **Samuel Marcotullio**, 904 E Fairfield Avenue, New Castle, PA 16105-2318.

This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0288071**, Sewage, SIC Code 8800, **Thomas Zeller**, 725 Fairchild Avenue, Kent, OH 44240.

This proposed facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0287971**, Sewage, SIC Code 8800, **Stephen & Stephanie Horvath**, 10245 Whittaker Road, Albion, PA 16401.

This proposed facility is located in Elk Creek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0288063**, Sewage, SIC Code 8800, **Daniel Karrasch**, 198 Dar Valley Road, Bradford, PA 16701-2482.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0288012**, Sewage, SIC Code 8800, **Jason Wolf**, 183 Schnur Road, Butler, PA 16002.

This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

---

### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.

---

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**WQM Permit No. 1320401**, Sewage, SIC Code 4952, **Borough of Bowmanstown**, 490 Ore Street, P.O. Box 127, Bowmanstown, PA 18030.

This proposed facility is located in Bowmanstown Borough, **Carbon County**.

Description of Proposed Action/Activity: Construction of three new reed drying beds to augment the three existing reed drying beds at the treatment plant.

**WQM Permit No. 6419402**, Sewage, SIC Code 4952, **LT Realty, Inc.**, 150 Noble Lane, Bethany, PA 18431.

This proposed facility is located in Dyberry Township, **Wayne County**.

Description of Proposed Action/Activity: The project is for the construction of a 0.0065 MGD packaged extended aeration wastewater treatment plant with tertiary filtration and ultraviolet light disinfection to serve the Bethany Village Senior Living Center. The proposed outfall is located on Tributary 5990 to Dyberry Creek.

**WQM Permit No. 4820401**, Sewage, SIC Code 4952, **Borough of Northampton**, 1401 Laubach Avenue, Northampton, PA 18067-0070.

This existing facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: The project is for the renovation of the borough's main pump station at the wastewater treatment plant. A new 1.36 MGD pump station will replace the existing 1.08 MGD pump station. Three variable frequency drive-controlled 7.5 HP vertical centrifugal dry pit pumps are each capable of conveying 500 gpm (0.72 MGD). All discharge and suction piping will be replaced with new ductile iron piping. A new 8-inch PVC force main will convey flows to the wastewater treatment plant.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

**WQM Permit No. 0190403 T2**, Sewerage, SIC Code 8361, **Paramount Senior Living at Fayetteville LLC**, 6375 Chambersburg Road, Fayetteville, PA 17222.

This proposed facility is located in Franklin Township, **Adams County**.

Description of Proposed Action/Activity: This permit/transfer approves the operation/transfer of sewage facilities consisting of communitor/bar screen, primary/secondary equalization tanks five (5) aeration tanks, two (2) settling tanks, sludge holding tank, four (4) tertiary filters, chlorine contact tank with chlorinator, post aeration, alum addition for phosphorous removal, dechlorination, and the discharge point.

Sludge is hauled to Chambersburg STP.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**WQM Permit No. 6369406 A-8**, Sewage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415.

This existing facility is located in Peters Township, **Washington County**.

Description of Proposed Action/Activity: The Applicant proposes to install an effluent bypass pipe, which is only to be used when cleaning the UV disinfection system and the effluent pump station wetwell.

**WQM Permit No. 5683203 A-1**, Industrial, SIC Code 4952, **Southern Alleghenies Landfill Inc.**, 843 Miller Picking Road, Davidsville, PA 15928-8917.

This existing facility is located in Conemaugh Township, **Somerset County**.

Description of Proposed Action/Activity: Replacement of existing clarifier with upgrades and modification in the sludge dewatering process.

*Northwest Region: Clean Water Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 3720401**, Sewage, **Denise Slagle**, 149 Springfield Drive, New Castle, PA 16105-5835.

This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 0379404 A-4**, Sewage, **West Hills Area Water Pollution Control Authority**, 257 Linde Road, Kittanning, PA 16201-4719.

This existing facility is located in North Buffalo Township, **Armstrong County**.

Description of Proposed Action/Activity: Amendment to replace existing chlorine disinfection system and contact tank with UV disinfection system in modified contact tank.

**WQM Permit No. 6219414**, Sewage, **Kenneth McChesney**, 636 Reed Road, Corry, PA 16407-3012.

This proposed facility is located in Spring Creek Township, **Warren County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 3719403**, Sewage, **Samuel Marcotullio**, 904 E Fairfield Avenue, New Castle, PA 16105-2318.

This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1620401**, Sewage, **Thomas Zeller**, 725 Fairchild Avenue, Kent, OH 44240.

This proposed facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 2519421**, Sewage, **Stephen & Stephanie Horvath**, 10245 Whittaker Road, Albion, PA 16401.

This proposed facility is located in Elk Creek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 4220401**, Sewage, **Daniel Karrasch**, 198 Dar Valley Road, Bradford, PA 16701-2482.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1019409**, Sewage, **Jason Wolf**, 183 Schnur Road, Butler, PA 16002.

This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

---

#### **VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.**

---

*Northeast Region: Waterways and Wetlands Program Manager; 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130026 Authorization/ Issuance	Exeter Industrial Drive Route 940 Land, LLC 101 West Elm Street Suite 600 Conshohocken, PA 19428	Carbon	Kidder Township	Black Creek (HQ-CWF, MF) EV Wetlands
PAD390040 Authorization/ Issuance	New Tripoli Bank 6748 Madison St. New Tripoli, PA 18066	Lehigh	North Whitehall Twp	UNT to the Mill Creek (CWF, MF) EV Wetlands

*Southcentral Region: Waterways and Wetlands Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD310007 Issued	The Pennsylvania State University 139J Physical Plant University Park, PA 16802	Huntingdon	Barree Township	UNT Shavers Creek (HQ-CWF, MF)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD440005 Issued	Ed Lerch 70 Commerce Drive Milroy, PA 17063	Mifflin	Armagh Township	Laurel Creek (HQ-CWF, MF)
PAD670035 A-1 Issued	PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	York	Manchester Township	UNT Codorus Creek (WWF) Mill Creek (WWF, MF)
PAD670041 Issued	James E. Quesenberry Jr. 6544 Anderson Road Stewartstown, PA 17363	York	Hopewell Township	UNT Leibs Creek (HQ-CWF, MF)
PAD220003 Issued	Girl Scouts in the Heart of Pennsylvania 350 Hale Avenue Harrisburg, PA 17104-1518	Dauphin	Jefferson Township	Conley's Creek (HQ-CWF, TSF)

*Southwest Region: Dana Drake, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD260011	First Energy Corporation 311 South Seventh Street Connellsville, PA 15425	Fayette County	City of Connellsville	Youghiogheny River (HQ-CWF)
PAD630040	Washington County Commissioners Suite 701 100 West Beau Street Washington, PA 15301	Washington County	Cross Creek Township	Cross Creek (HQ-WWF)

*Regional Permit Coordination Office: Director of RPCO, 400 Market Street, 10th Floor, Harrisburg, PA 17101, 717-772-5986.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150143 Final Permit Authorization	Pennsylvania Turnpike Commission 700 S. Eisenhower Blvd. Middletown, PA 17057	Chester County	East Nantmeal Township	Tributary to Marsh Creek (HQ)

## **VII. Approvals to Use NPDES and/or Other General Permits.**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types.**

PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

- PAG-13 Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)  
 PAG-14 (To Be Announced)  
 PAG-15 General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401.*

*Contact: Aaron Redmond, Management Technician, 484.250.5821.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC150216 (renewal of PAG02001514044)	Wexford Court, LLC 356 Hidden Farm Drive Exton, PA 19341	Elverson Township Chester County	East Branch Conestoga Creek WW-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150185	Hector Road, LLC 368A East Baltimore Pike Avondale, PA 19311	New Garden Township Chester County	Unnamed Tributary to West Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150190	Bruce Aiton 852 Wesley Drive Mechanicsburg, PA 17055	Parkesburg Borough Chester County	Tributary to Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150161	Avon Grove School District 375 South Jennersville Road West Grove, PA 19390	Penn Township Chester County	White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150183	Darlene Daggett 500 South Waterloo Road Devon, PA 19333	Easttown Township Chester County	Unnamed Tributary to Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150181	Brian Campbell Homes, Inc. 402 Bayard Road Kennett Square, PA 19348	East & West Nottingham Townships Chester County	Blackburn Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150205 (renewal of PAG02001515008)	JD Eckman, Inc. 4781 Lower Valley Road Atglen, PA 19310	West Sadsbury Township Chester County	Valley Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150195	Longwood Gardens 1001 Longwood Road Kennett Square, PA 19348	East Marlborough Township Chester County	East Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150188	John Newton P.O. Box 2995 Ponte Vedra, FL 32004	Sadsbury Township Chester County	Tributary to Buck Run Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

2319

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC150182	Ricky Wilson P.O. Box 181 Downingtown, PA 19335	Caln Township Chester County	Unnamed Tributary to Beaver Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150184 (renewal of PAG02001515007)	Hill View III, LLC 1 Overlook Circle Media, PA 19063	Caln Township Chester County	Unnamed Tributary to West Branch Brandywine Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150205	New Garden Township 1235 Newark Road Toughkenamon, PA 19374	New Garden Township Chester County	East Branch White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150196	Meg Lyons Cowan 10 Abbott Lane Highland, PA 19320	Highland Township Chester County	Unnamed Tributary to Birch Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150187	Delaware Valley Development Company 726 Yorklyn Road Suite 150 Hockessin, DE 19707	Kennett Borough Chester County	East Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150186	Melton Center Apartments, LLC 1228 Euclid Avenue Cleveland, OH 44115	West Chester Borough Chester County	Goose Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150200 (renewal of PAG02001514023)	Leroy J. Lapp 283 Beacon Light Road Parkesburg, PA 19365	West Caln Township Chester County	Unnamed Tributary to Indian Spring Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150198 (renewal of PAG02001509006-2)	The Oppy Property, LP P.O. Box 368 Kennett Square, PA 19348	New Garden Township Chester County	Unnamed Tributary to West Branch of Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC150180	STANAB, LP 535 North Church Street West Chester, PA 19380	Kennett Borough Chester County	West Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC390100 Authorization/ Issuance	Broadway Equities LLC 3764 Mauch Chunk Rd. Allentown, PA 18104	Lehigh	Hanover Township	UNT to Lehigh River (CWF, MF) UNT to Catasauqua Creek (CWF, MF)	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC400161 Authorization/ Issuance	Luke A. Portieles PPL Electric Utilities Corp. Two North 9th Street GENN4 Allentown, PA 18101-1139	Luzerne	Plains Township & Wilkes-Barre City	Mill Creek (CWF, MF) UNTs to Mill Creek (CWF, MF) Laurel Run (CWF, MF) UNTs to Laurel Run (CWF, MF)	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991

*Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC210188 A-1 Issued	Frank Tamanini 832 Tamanini Way Mechanicsburg, PA 17055	Cumberland	Silver Spring Township	Trindle Spring Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210178 Issued	Reiff Poultry Operation 10265 Shale Road Shippensburg, PA 17257-9313	Cumberland	Hopewell Township	UNT Newburg Run (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220222 Issued	Hudson Harrisburg LP 2450 Shenango Valley Freeway Hermitage, PA 16148	Dauphin	City of Harrisburg	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220221 Issued	Heidenberg Properties Group 234 Closter Dock Road Closter, NJ 07624	Dauphin	Derry Township	UNT Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC370042	Industrial Insulation & Coating LLC P.O. Box 154 Girard, OH 44420	Union Township Lawrence County	UNT Shenango River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC370039	Castle Security P.O. Box 5119 New Castle, PA 16105	Neshannock Township Lawrence County	UNT Shenango River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC370048	Universal Development 1607 Motor Inn Drive Girard, OH 44420	Neshannock Township Lawrence County	UNT Shenango River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC200068	National Fuel Gas Distribution 1100 State Street Erie, PA 16501	Beaver Township Crawford County	East Branch Conneaut Creek/Mud Run CWF; MF	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC200064	Ernst Seeds, Inc. 8865 Mercer Pike Meadville, PA 16335	Union Township Crawford County	UNT French Creek WWF	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269

*General Permit Type — PAG-03*

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG033572 A-2 Transfer	Amazon.Com Services LLC P.O. Box 80842 Seattle, WA 98108-0842	Dickinson Twp. Cumberland County	Alexanders Spring Creek (CWF, MF) in Watershed(s) 7-B	Clean Water Program 717-705-4812
PAG033573 A-2 Transfer	Amazon.Com Services LLC P.O. Box 80842 Seattle, WA 98108-0842	Fairview Twp. York County	Fishing Creek (TSF, MF) Watershed(s) 7-E	Clean Water Program 717-705-4812
PAG033571 A-2 Transfer	Amazon.Com Services LLC P.O. Box 80842 Seattle, WA 98108-0842	South Middleton Twp. Cumberland County	Alexanders Spring Creek (CWF, MF) in Watershed(s) 7-B	Clean Water Program 717-705-4812
PAG033617 A-1 Transfer	Amazon.Com Services LLC P.O. Box 80842 Seattle, WA 98108-0842	West Donegal Twp. Lancaster County	Conewago Creek (TSF, MF) in Watershed(s) 7-G	Clean Water Program 717-705-4812

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG038385	Haysite Reinforced Plastics LLC 5599 Perry Highway Erie, PA 16509-3562	Millcreek Township Erie County	Unnamed Tributary to Mill Creek (WWF, MF)—15-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

**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. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T 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 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.

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>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Irwin Martin 231 Brosius Hill Road Mt. Pleasant Mills, PA 17853	Snyder	50.9 Manure application	614.26	Turkeys Beef Goats	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. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

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).**

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**Permit No. 6420503MA, Minor Amendment, Public Water Supply.**

Applicant	<b>GSP Management Co.</b> (Canal Mobile Home Park) P.O. Box 677 Morgantown, PA 19543
Municipality	Texas Township
County	<b>Wayne</b>
Type of Facility	Public Water Supply
Consulting Engineer	James A. Cieri, P.E. 914 N. Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	April 21, 2020

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 4919507.** Public Water Supply.  
 Applicant **Cherokee Pharmaceutical, LLC**  
 100 Avenue C  
 Riverside, PA 17868  
 Borough or Township Riverside Borough  
 County **Northumberland County**  
 Type of Facility Public Water Supply—Construction  
 Consulting Engineer Martin Bretschneider, P.E.  
 Hargrove Life Sciences, Inc.  
 1880 John F. Kennedy Blvd.  
 Suite 700  
 Philadelphia, PA 19103  
 Permit Issued April 20, 2020

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 6519511, Major Amendment.** Public Water Supply.  
 Applicant **Municipal Authority of the Borough of Derry**  
 620 North Chestnut Street  
 Derry, PA 15627  
 Borough or Township Borough of Derry  
 County **Westmoreland**  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 P.O. Box 853  
 Latrobe, PA 15650  
 Permit Issued April 10, 2020

**Permit No. 0419510, Major Amendment.** Public Water Supply.  
 Applicant **Blackhawk Area School District**  
 500 Blackhawk Road  
 Beaver Falls, PA 15010  
 Borough or Township Darlington Township  
 County **Beaver**  
 Type of Facility Water system  
 Consulting Engineer Widmer Engineering, Inc.  
 806 Lincoln Place  
 Beaver Falls, PA 15010  
 Permit Issued April 8, 2020

**Permit No. 6514509-A1, Major Amendment.** Public Water Supply.  
 Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 Borough or Township Washington Township  
 County **Westmoreland**  
 Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 P.O. Box 853  
 Latrobe, PA 15650  
 Permit Issued April 17, 2020

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, **PWSID No. 5020039**, City of Pittsburgh and Forward Township, **Allegheny County** on April 3, 2020 for the operation of facilities approved under construction permit # 0219550-EI, three existing emergency interconnections with the Pittsburgh Water and Sewer Authority.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, **PWSID No. 5260005**, Menallen Township, **Fayette County** on April 15, 2020 for the operation of facilities approved under construction permit # 2619512-EI, existing emergency interconnection with the North Fayette County Municipal Authority.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, **PWSID No. 5260005**, South Connellsville Borough, **Fayette County** on April 15, 2020 for the operation of facilities approved under construction permit # 2619514-EI, existing emergency interconnection with the Municipal Authority of Westmoreland County (Sullivan Alley interconnection).

**Operations Permit** issued to: **Heritage Valley Health System, Inc.**, 740 Blackburn Road, Sewickley, PA 15143, **PWSID No. 5020959**, Sewickley Borough, **Allegheny County** on April 15, 2020 for the operation of facilities approved under construction permit # 0218531, Barclay Water Management iChlor system at the Heritage Valley Health System: Sewickley.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Alsace Township	65 Woodside Avenue Temple, PA 19560	Berks

*Plan Description:* Approval is granted for a Revision to the Official Plan of Alsace Township, Berks County. The project is known as the Ernest Harders Property. The plan provides for a proposed Small Flow Treatment Facility (SFTF) to replace holding tanks serving an existing dwelling on one (1) acre. Total estimated sewage flows are 400 gallons per day, with discharge to Laurel Run. The project is located at 26 Fox Road in Alsace Township, Berks County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06916-083-3S and the APS ID is 1009615. Permits for onlot sewage disposal systems must be obtained in the name of the property owner.

## SEWAGE FACILITIES ACT PLAN DISAPPROVAL

### Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

#### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Penn Township	100 Municipal Building Road Duncannon, PA 17020	Perry

*Plan Description:* The request for planning exemption for the Forrer Subdivision (DEP Code No. A3-50921-188-2E; APS ID No. 1014532) has been disapproved. The proposed development—to be located at 86 Sawmill Road in Duncannon consists of a 3-lot subdivision proposing one new single-family residence with new flows equaling 400 gpd. This request for planning exemption has been disapproved because the submission does not qualify as an exemption from sewage facilities planning for new land development.

## 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 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, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the

appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Palisoc Property**, 1119 Foster Avenue, White Haven, PA 18661, Foster Township, **Luzerne County**. Geological & Environmental Associates, 430 West Mountain Road, Plymouth, PA 18651, on behalf of Roger Palisoc, P.O. Box 76, White Haven, PA 18661, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Former Knarr Residence**, 2472 Wilson Street, Reading, PA 19605, Bern Township, **Berks County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of June Lerch, 940 Franklin Street, Wyomissing, PA 19610, and Nolan and Samantha Katkowski, 2472 Wilson Street, Reading, PA 19605 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Zimmerman Diesel Spill Parcel # 4-8-88 (Area 1), and Parcel # 4-8-12 (Area 2)**, 190 East Industrial Drive, Mifflintown, PA 17059, Fermanagh Township, **Juniata County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Zimmerman Truck Lines, LLC, 190 East Industrial Drive, Mifflintown, PA 17059, Juniata Business and Industry, 287 East Industrial Drive, Mifflintown, PA 17059, Leidy Partners, LP, P.O. Box 186, Mifflintown, PA 17059, and Lewis Environmental, 144 Reno Street, New Cumberland, PA 17070 submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Kwik Fill**, 2265 South Queen Street, York, PA 17402, York Township, **York County**. GES, Inc., 301 Commerce Park, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, Warren, PA 16365 and Ricke Brothers, 4449 Lincoln Highway, York, PA 17406, submitted a Remedial Investigation and Remedial Assessment Report concerning remediation of site soil and groundwater contaminated with historical contamination of unleaded gasoline from an unregulated underground storage tank system. The combined report is intended to document remediation of the site to meet the Site-Specific Standard.

**Former Swam**, 490 High Street, Hanover, PA 17331, Hanover Borough, **York County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Glenn Bange, 1281 Honda Road, Hanover, PA 17331, and Pinnacle Premier Properties, LLC, 7060 Division Highway, Narvon, PA 17555, submitted Final Report concerning remediation of site groundwater contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.



*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Seneca Mineral Brine Release**, 10135 Ridge Road, Girard Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Seneca Mineral Company, Inc., 8431 Edinboro Road, Erie, PA 16509, submitted a Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Strontium, Vanadium, Zinc, Selenium and site groundwater contaminated with Chloride. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## 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 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 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. 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 Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Brooks Instruments**, 407 West Vine Street, Hatfield Township, **Montgomery County**. Lisa Kelly, WSP Environmental Strategies, LLC, 11911 Freedom Drive, 9th Floor, Reston, VA 20190 on behalf of Stephen L. Clarke, Emerson Electric Company, 8000 West Florissant Avenue, Saint Louis, MO 63136 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Report was reviewed by the Department which issued a technical deficiency letter on March 25, 2020.

**Langford Square**, 315 Langford Road, Marple Township, **Delaware County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Vincent Antonini, G. Antonini Real Estate Inc., 3605 Winding Way, Newtown Square, PA 19073 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with inorganics. The Report was reviewed by the Department which issued a technical deficiency letter on April 3, 2020.

**ICI Americas**, 310 Turner Lane, West Goshen Township, **Chester County**. Daniel Sheehan, Arcadis US, Inc., 824 East Market Street, Suite 820, Wilmington, DE, 19801 on behalf of Brett Whittleton, Environmental Liability, Azko Nobel, Inc., 525 West Van Buren Street, Chicago, IL 60607 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Report was reviewed by the Department which issued a technical deficiency letter on March 31, 2020.

**Lots 5, 6 and 6A of the Moyer Farm Subdivision**, Moyer Road and Township Line Road, New Hanover Township, **Montgomery County**. Jeffery A. Leed, Leed Environmental Inc., 2209 Quarry Drive, Suite C35, Reading, PA 19609 on behalf of Joseph Margusity, Wexford Court, LLC, 356 Hidden Farm Drive, Exton, PA 19341 submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Report was reviewed by the Department which issued a technical deficiency letter on April 4, 2020.

**225 Lincoln Highway**, 225 Lincoln Highway, Falls Township, **Bucks County**. Matthew Brainard, BrightFields Inc., 801 Industrial Street, Wilmington, DE 19801 on behalf of Bill Koelewyn, 225 Lincoln Properties, L.P., 225 Lincoln Highway, Suite 150, Fairless Hills, PA 19030 submitted a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Report was reviewed by the Department which issued a technical deficiency letter on March 19, 2020.

**Brewerytown Mixed Block**, 31st and Master Street, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni Associates Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Jon Herzog, Westrum Development Company, 1300 Virginia Drive, Suite 215, Fort Washington, PA 19034 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Report was reviewed by the Department which issued a technical deficiency letter on March 12, 2020.

**Gould Residence**, 113 West Haines Street, City of Philadelphia, **Philadelphia County**. Staci Cottone, J&J Environmental, 2949 Felton Road, East Norriton, PA 19401 on behalf of Peter Gould, 113 West Haines Street, Philadelphia, PA 19144 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on March 27, 2020.

**Paul's Oldsmobile Dealership**, 260 East Street, Warminster Township, **Bucks County**. Kenny Kim, Comstock Environmental, 806 Fayette Street, Conshohocken, PA 19428 on behalf of John Rybas, 324 Woods Road, Glenside, PA 19038 submitted a Final Report concerning the remediation of site groundwater contaminated with MTBE. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on April 15, 2020.

**9800 Bustleton Avenue Site**, 9800 Bustleton Avenue and 1701 Fulmer Street, City of Philadelphia, **Philadelphia County**. Thomas Petrecz, Penn E&R, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kasey Wroblewski, Amcor PLC, 2301 Industrial Drive, Neenah, WI 54956 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the non-residential site-specific standard and was approved by the Department on April 8, 2020.

**Bergey's Electric**, 2880 Penn Avenue, Hatfield Township, **Montgomery County**. Terry Harris, Boucher & James Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901-2391 on behalf of Terry Bergey, 2880 Penn Avenue, Hatfield, PA 19440-2398 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on March 20, 2020.

**512 East Haines Street**, 512 East Haines Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Lee Hecht, Haines Street Holdings, LLC, 126 Executive Drive, Ambler, PA 19002 submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on March 19, 2020.

**PECO Norristown MGP Site**, 358 Washington Street, Norristown Borough, **Montgomery County**. Michael Welsh, P.E., Welsh Environmental, 131 Clearview Drive, Downingtown, PA 19335 on behalf of Kimberly Huntley, T. Lowe Enterprise, GP, LLC, P.O. Box 645, Southeastern,

PA 19399 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with PAHs and other organics. The Report demonstrated attainment of the non-residential site-specific standard was approved by the Department on March 25, 2020.

**Duckett Residence**, 440 Brookside Avenue, Lower Gwynedd Township, **Montgomery County**. Staci Cottone, J&J Environmental, 2949 Felton Road, East Norriton, PA 19401 on behalf of Danielle Duckett, 440 Brookside Avenue, Ambler, PA 19002 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on March 27, 2020.

**Ross Residence**, 1300 Colwell Lane, Plymouth Township, **Montgomery County**. Richard Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Ms. Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on April 16, 2020.

**Clifton Fuels 67401**, 134 West Baltimore Avenue, Clifton Heights Borough, **Delaware County**. Andrew Musetto, Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Brad Fisher, Getty Properties Corporation, Two Jericho Plaza, Suite 110, Wing C, Jericho, NY 11753 submitted a Final Report concerning the remediation of site soil contaminated with leaded/unleaded gasoline. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on March 23, 2020.

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**P&G Warehouse OG Well Pad**, 120 P&G Warehouse Way, Tunkhannock, PA 18657, Washington Township, **Wyoming County**. Apex Companies, 606 Main Street, Athens, PA 18810 on behalf of BKV Operating LLC, 12231 State Route 8706, Montrose, PA 18801, submitted a final report concerning remediation of soil contaminated by a release of base oil and production fluid (brine) kerosene from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on April 15, 2020.

**P&G 4 Well Pad**, 5207 State Route 87, Mehoopany, PA 18629, Washington Township, **Wyoming County**. Apex Companies, 606 Main Street, Athens, PA 18810 on behalf of BKV Operating LLC, 12231 State Route 8706, Montrose, PA 18801, submitted a final report concerning remediation of soil contaminated by a release of drilling fluid. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on April 16, 2020.

**Bethlehem Commerce Center Site—Coal Chemical Area**, LVIP VII Commerce Center Boulevard, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Bethlehem, PA 18015, on behalf of

Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015, submitted a combined cleanup plan and risk assessment concerning remediation of site soils contaminated during historic coke production processes at the former Bethlehem Steel. The report documented remediation of the site to meet the Site-Specific Standards and was approved by DEP on April 16, 2020.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**David Golberg Residence**, 404 Blacklatch Lane, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of David Golberg, 404 Blacklatch Lane, Camp Hill, PA 17011, and Erie Insurance, 100 Erie Insurance Place, Erie, PA 16530, submitted a Final Report concerning remediation of site soil contaminated with # 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on April 6, 2020.

**Former Exxon Mobil Oil Company-Mt. Union Terminal # 37-058**, 15534 Croghan Pike (SR 522), Mt. Union, PA 17260, Shirley Township, **Huntingdon County**. Kleinfelder, 1745 Dorsey Road, Ste J, Hanover, MD 21076, on behalf of ExxonMobil Environmental & Property Solutions Company, 38 Varick Street, Brooklyn, NY 11222, submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 16, 2020.

**Del Brook MHP**, 2801 Blossom Drive, Dover, PA 17315, Dover Township, **York County**. Liberty Environmental Company, 505 Penn Street, Reading, PA 19601 on behalf of Dolan Oil Services, Inc., 955 York Haven Road, York Haven, PA 17370, and Reading Recreation Company, 50 North 5th Street, 5th Floor, Reading, PA 19601, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 10, 2020.

**Former Reading Outlet Center**, Building # 1, 9th and Douglass Street, NE Corner, Reading, PA 19601, City of Reading, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, on behalf of Shuman Development Group, 645 Penn Street, Reading, PA 19601, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Statewide Health Standard-Standard and was disapproved by the Department on April 20, 2020.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Barton Residence**, 36057 Maple Drive, Bloomfield Township, **Crawford County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Tom and Rosemary Barton, 124 Oak Lane, Mars, PA 16046, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Ethylbenzene,

Cumene, Methyl Tert Butyl Ether, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 4, 2020.

## AIR QUALITY

---

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

---

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**GP15-06-03015: F.M. Brown's Sons, Inc.** (P.O. Box 67, Birdsboro, PA 19508-0067) on April 20, 2020, for the animal feed mill operations, under GP15, at their location in Birdsboro Borough, **Berks County**. The general permit authorization was renewed.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**GP3-37-373A: Amerikohl Aggregates Incorporated, Welsh Quarry** (1384 State Road 711, Stahlstown, PA 15687) on April 2, 2020, for the authorization for construction of a 400 tph capacity Metso model C116 jaw crusher, a 300 tph capacity Metso model 1213 impact crusher, a 400 tph Metso model 3D-6x20 and a 300 tph capacity model 3D6x16 vibratory screen(s), two (2) grizzly feeders, and 14 associated conveyors (BAQ-GPA/GP3) located at their facility in Wayne Township, **Lawrence County**.

**GP9-37-373A: Amerikohl Aggregates Incorporated, Welsh Quarry** (1384 State Route 711, Stahlstown, PA 15687) on April 2, 2020, for the authorization for construction of two (2) new 415 bhp Caterpillar model C13, one 480 bhp Caterpillar C9, and one 174 bhp Caterpillar C6.6 diesel-fired generator engines (BAQ-GPA/GP9) located at their facility in Wayne Township, **Lawrence County**.

**GP3-62-172D: Glenn O. Hawbaker, Incorporated—Brokenstraw Gravel Mine Facility** (Route 6, Pittsfield, PA 16340) on April 7, 2020, for the authorization for the operation of a portable nonmetallic mineral processing plant consisting of one (1) 36" x 100' Radial Stacking Conveyor, one (1) 6' x 16' 3 Deck Screen, one (1) Frogswitch Cage Mill Crusher, one (1) 30" x 25' Channel Frame Conveyor, two (2) 36" x 100' Truss Frame Radial Stacking Conveyors, one (1) 30" x 100' Channel Frame Radial Stacking Conveyor, one (1) 30" x 120' Truss Frame Overland Conveyor, one (1) 30" x 50' Channel Frame Conveyor, one (1) 5' x 12' 2 Deck Screen (BAQ-GPA/GP3) located at their facility in Pittsfield Township, **Warren County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**46-0221: Upper Moreland Hatboro Joint Sewer Authority** (2875 Terwood Road, Willow Grove, PA 19090-1434) on April 17, 2020 for the use of an existing emergency generator (source # 700) as a non-emergency generator. The facility will continue to also use the source as an emergency generator in Upper Moreland Township, **Montgomery County**.

**46-0036K: DIV AR PROP LP** (1420 US Highway 206, Suite 200, Bedminster, NJ 07921) on April 17, 2020 for an increase the permitted operating hours for four (4) existing electric generating engines and to modify these engines with the installation of oxidation catalyst to reduce CO and VOC emissions for their facility located in Worcester Township, **Montgomery County**.

**23-0047I: Evonik Corporation** (1200 W Front Street, Chester, PA 19013-3438) on April 15, 2020 for the installation of two mills, a silo and associated baghouses as a control at their facility located in the City of Chester, **Delaware County**.

**09-0007C: Waste Management Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067-3704) on April 20, 2020, to constructed with a landfill gas collection and a treatment system and a pipeline for the sale of landfill gas; and two backup flares are to be installed in accordance with the plans submitted with the application as approved here in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05025A: Texas Eastern Transmission LP** (P.O. Box 1642, Houston, TX 77251-1642) on April 14, 2020, for the installation of two (2) new 7,700 HP natural gas-fired turbines equipped with dry low NO<sub>x</sub> technology and oxidation catalysts to replace six (6) existing 1,760 HP compressor engines at the Marietta natural gas compressor station located in East Donegal Township, **Lancaster County**. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**18-00011K: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on April 14, 2020, to extend the authorization to construct the sources pursuant to the plan approval from April 30, 2020 to October 1, 2021, at their Mill Hall Facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

**08-00001A: Tennessee Gas Pipeline Company LLC** (1001 Louisiana Street, Houston, TX 77002) on March 23, 2020, was issued an extended authorization for additional 180 days pending issuance of an operating permit. The source is located at their Station 319 facility in Wyalusing

Township, **Bradford County**. The plan approval has been extended to September 18, 2020, for continued operation of the emergency generator engine (Source ID P103A)

**08-00001B: Tennessee Gas Pipeline Company LLC** (1001 Louisiana Street, Houston, TX 77002) on March 23, 2020, was issued an extended authorization for additional 180 days pending issuance of an operating permit. The source is located at their Station 319 facility in Wyalusing Township, **Bradford County**. The plan approval has been extended to October 22, 2020, for continued operation of the compressor turbine (Source ID P201).

**53-00018A: PA Pellets, LLC** (958 State Route 49 West, Ulysses, PA 16948) on April 8, 2020 to extend the authorization to operate their rotary pellet dryer at their facility located in Ulysses Borough, **Potter County** on a temporary basis to October 5, 2020. The plan approval has been extended.

**18-00021B: Avery Dennison Performance Polymers** (171 Draketown Road, Mill Hall, PA 17751) on April 8, 2020, to extend the authorization to operate their R-100 emulsion reactor at their facility located in Mill Hall, **Clinton County** on a temporary basis until October 21, 2020. The plan approval has been extended.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**10-333D: PennUnited Technologies, Incorporated** (799 North Pike Road, Cabot, PA 16023) on March 31, 2020, effective March 31, 2020, has issued a plan approval extension for construction of a batch vapor degreasing unit using trichloroethylene solvent in Jefferson Township, **Butler County**. This is a State Only facility. This will expire on September 30, 2020.

**16-132L: Clarion Boards LLC** (143 Fiberboard Road, Shippensburg, PA 16254) on March 31, 2020, effective March 31, 2020, has issued a plan approval extension for continued construction phase of the RTO and Dryer in Paint Township, **Clarion County**. This is a Title V facility. This will expire on September 30, 2020.

**20-037B: U.S. Bronze Foundry & Machine** (18649 BrakeShoe Road, Meadville, PA 16335) on March 31, 2020, effective March 31, 2020, has issued a plan approval extension to await stack testing results review for adding an additional source of emissions and the reconfiguration of existing equipment as mapped in Woodcock Township, **Crawford County**. This is a State Only facility. This will expire on September 30, 2020.

**24-131R: SGL Carbon** (900 Theresia Street, Saint Marys, PA 15857) on March 31, 2020, effective March 31, 2020, has issued a plan approval extension for the construction of a new Chemical Vapor Deposition Reactor (# 16) and scrubber located in Building 500 CVD Operations in Saint Marys City, **Elk County**. This is a State Only facility. This will expire on September 30, 2020.

**62-176B: Lignetics of New England** (1055 Matthews Run Road, Youngsville, PA 16371) on March 31, 2020, effective March 31, 2020, has issued a plan approval extension to modify the facility's rotary wood dryer to include a new, larger wood-fired burner and the replacement of the multi-cyclone in Brokenstraw Township, **Warren County**. This is a State Only facility. This will expire on September 30, 2020.

---

**Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

---

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05029: High Steel Structures, LLC** (P.O. Box 10008, 1853 William Penn Way, Lancaster, PA 17605-0008) on April 14, 2020, for the structural steel manufacturing facility in East Lampeter Township, **Lancaster County**. The Title V permit was renewed.

**01-05029: Kestrel Acquisition, LLC** (1731 Hunters-town Road, Gettysburg, PA 17325) on April 20, 2020 for the Hunterstown Combined Cycle Generating Station located in Straban Township, **Adams County**. The Title V permit was renewed.

**05-05022: Bedford Reinforced Plastics, Inc.** (264 Reynoldsdale Road, Bedford, PA 15522-7401) on April 13, 2020, for the fiberglass reinforced plastics composite products pultrusion manufacturing facility located in East St. Clair Township, **Bedford County**. The Title V permit was renewed.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**03-00027: Keystone-Conemaugh Projects, LLC** (175 Cornell Road, Suite 1, Blairsville, PA 15717) on April 17, 2020, the Department issued a renewal of the Title V Operating Permit for the operation of the electrical generation facility in Plum Creek Township, **Armstrong County**. The facility's major emission sources include two tangential pulverized coal-fired (PC) boilers, each with nominal maximum heat inputs of 8,717 MMBtu/hr, two 138 MMBtu/hour auxiliary boilers, four 3,600 bhp peaking diesel electrical generators, emergency diesel engines and fire pumps, coal handling, ash disposal, limestone and gypsum operations, plant haul roads, cooling towers, miscellaneous propane heaters and sorbent handling and storage. The facility reported actual emissions in TPY for 2018 as: 6,399.29 NO<sub>x</sub>, 4,911.85 CO, 23,950.58 SO<sub>x</sub>, 298.2 PM, 664.6 PM<sub>10</sub>, 33.36 VOC, 19.8 HAPs, and 12,680,778.06 CO<sub>2</sub>. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the New Source Performance Standards for Nonmetallic Mineral Processing Plants (Subpart OOO) and Stationary Compression Ignition Internal Combustion Engines (Subpart IIII); the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Subpart ZZZZ), Industrial, Commercial, and Institutional Boilers and Process Heaters (Subpart DDDDD) and Coal and Oil Fired Electric Steam Utility Steam Generating Units (Subpart UUUUU); and the Cross State Air Pollution Rule (CASPR) for NO<sub>x</sub> Annual Trading Program (Subparts AAAAA), SO<sub>2</sub> Group 1 Trading Program (Subpart CCCCC), and NO<sub>x</sub> Ozone Season Group 2 Trading Program (Subpart EEEEE). The renewal permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**32-00200: Indiana University of Pennsylvania** (525 Pratt Drive, Indiana, PA 15705). On April 17, 2020, the Department issued the renewal Title V Operating Permit for the S.W. Jack Cogeneration Plant located in Indiana Borough, **Indiana County**. The facility's primary emission sources include the three gas/oil boilers, the four dual-fuel engines (8,400-bhp), a 600-bhp diesel emergency generator engine, and a cold solvent degreaser. The potential emissions, after permit limitations, of the major pollutants from the facility are as follows: 348.96 TPY (tons per year) NO<sub>x</sub>, 146.62 TPY CO, 234.93 TPY VOC, 57.02 TPY total HAPs (hazardous air pollutants), 78.33 TPY PM<sub>10</sub>, 78.32 TPY PM<sub>2.5</sub>, and 66.35 TPY SO<sub>x</sub>; thus, the facility is subject to Title V requirements for potential emissions of NO<sub>x</sub> and CO in excess of 100 TPY, VOC in excess of 50 TPY, and combined HAPs in excess of 25 TPY. The boilers are subject to 40 CFR 63 Subpart DDDDD, NESHAP for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters and presumptive RACT under 25 Pa. Code § 129.97(b)(1) relating to tune-ups. The engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines and presumptive RACT under 25 Pa. Code § 129.97(g)(3)(i)(B) and (g)(3)(ii) relating to emissions of VOC and NO<sub>x</sub>, respectively. The emergency generator engine is subject to presumptive RACT under 25 Pa. Code § 129.97(c)(1) relating to work practices. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

---

**Operating Permits 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.**

---

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**54-00075: Yuengling Beer Co., Inc.** (310 Mill Creek Avenue, Pottsville, PA 17901-8692) .The Department issued, on March 16, 2020, a State-Only Operating Permit for the operation of sources at the Yuengling Beer Co. facility located in Port Carbon Borough, **Schuylkill County**. Sources at this facility include three natural gas fired boilers and an anaerobic reactor. Processes include material transfer, brewing process, and finishing process. Control devices include a packed tower scrubber, a carbon adsorber unit, and a flare. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00045: Ralmark Company** (15 Elmwood Avenue, Mountain Top, PA 18707). The Department issued, on 4/8/20, a State-Only Operating Permit for operation of sources at an aircraft parts manufacturing facility in Larksville Borough, **Luzerne County**. The sources include a pulley manufacturing process, and a spray paint booth. Control devices include a baghouse. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05101: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422-2306) on April 20, 2020, for the batch asphalt plant located in Warwick Township, **Lancaster County**. The State-only permit was renewed.

**34-03007: Dominion Transmission, Inc.** (120 Tredegar St., Richmond, VA 23219-4306) on April 15, 2020, for the Perulack natural gas compressor station located in Lack Township, **Juniata County**. The State-only permit was renewed.

**22-05033: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011-7418) on April 13, 2020, for the stone crushing, batch asphalt and concrete production operations at the Steelton Quarry, located in Steelton Borough, **Dauphin County**. This is a renewal of the State-only operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**53-00014: Emporium Specialties Co., Inc.** (P.O. Box 65, Austin, PA 16720) on April 16, 2020, for a State Only (Synthetic Minor) operating permit renewal issuance for the Emporium Specialties Co., Inc.'s facility located in Austin Borough, **Potter County**.

*Southwest Regional Office, 400 Waterfront Drive, Pitts-burgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**04-00061: Nalco Production, LLC** (125 Nalco Way, Ellwood City, PA 16117). Administrative Amendment, issued on April 13, 2020, for a change of ownership from ONDEO Nalco Energy SVC to Nalco Production, LLC due to corporate restructuring. The Nalco Production, LLC's Ellwood City plants are located in Franklin Township, **Beaver County**.

**04-00443: Evoqua Water Technologies, LLC** (118 Park Road, Darlington, PA 16115). Administrative Amendment, on April 10, 2020, the Department amended the Evoqua Water Technologies, LLC's Darlington plant's State-Only Operating Permit for a change in the responsible official. The facility recycles hazardous and non-hazardous spent sorbents for reuse, predominantly activated carbon. The facility is located in Darlington Township, **Beaver County**.

**56-00298: Garrett Limestone Co., Inc.** (3307 Garrett Road, Garrett, PA 15542). Administrative Amendment, on April 10, 2020, the Department amended the facility's State-Only Operating Permit for a change in permit contact, responsible official, and updated the corporate mailing address. The company operates a non-metallic mineral processing plant located in Summit Township, **Somerset County**.

**63-00990: Donora Dock, LLC** (11 Lloyd Ave., Suite 200, Latrobe, PA 15650). On April 16, 2020, the Department issued a Synthetic Minor State Only Operating Permit for the operation of a coal and pet coke transfer facility located in Carroll Township, **Washington County**. Operations at the facility include the offloading of clean bituminous coal and pet coke by barge and truck.

Activities consist of loading/unloading, transfer, blending, stockpiling, hauling, and trans-loading of up to 2.6 million tons of material per year. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emission and throughput limitations, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

**04-00727: Lambeth, LLC dba Five Points Veteri-nary Clinic** (2061 Brodhead Road, Aliquippa, PA 15001-4962), Natural Minor Operating Permit on April 21, 2020, the Department of Environmental Protection authorized a renewed natural minor State-Only Operating Permit for the continued operation of the facility's two natural gas-fired air contamination sources consisting of one 75 lbs/hr Matthews IE43-PP Jr. Animal Crematory Incinerator rated at 0.70 MMBtu/hr primary chamber and 1.2 MMBtu/hr secondary chamber and one 150 lbs/hr Matthews IEB-20 Animal Crematory Incinerator rated at 0.60 MMBtu/hr primary chamber and 1.2 MMBtu/hr secondary chamber. The facility is located in Hopewell Township, **Beaver County**. The permit includes emission restrictions, operating requirements, monitoring require-ments, work practice standards, and recordkeeping require-ments for the site.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) issued on 04/16/2020 an initial Natural Minor Operating Permit for the following facility:

**OP19-000014: The Sterling Apartments** (1815 JFK Blvd, Philadelphia, PA 19103) for the operation of a commercial and residential condominium in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers firing natural gas each rated less than 2 MMBtu/hr, six (6) boilers firing natural gas and/or No. 2 fuel oil rated at 3 MMBtu/each, one emergency generator firing diesel fuel rated at 896 HP, and three (3) cogen units firing natural gas rated at 100 HP each. The intent to issue the Natural Minor Operating Permit was published on March 7, 2020 in the *Pennsylvania Bulletin* under The Sterling Apartments.

---

**Operating Permit Revisions Issued including Ad-ministrative Amendments, Minor Modifications or Transfers 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.**

---

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05008: Tyson Poultry, Inc.** (403 South Custer Avenue, P.O. Box 1156, New Holland, PA 17557-9221) on April 14, 2020, for the poultry processing facility located in Earl Township, **Lancaster County**. The State-only permit underwent a minor modification in order to add the use of propane as a backup fuel for the facility's boilers, thermal fluid heaters, and space heaters. This included the addition of a 15,000,000-gallon, 12-month rolling total limit on the use of propane at the facility.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**26-00405: Dominion Energy Transmission, Inc.** (5000 Dominion Blvd., Glen Allen, VA, 23060) for the North Summit Compressor Station located in North Union Township, **Fayette County**. On April 20, 2020, the Department issued an administrative amendment of the Title V Operating Permit for the North Summit Compressor Station to incorporate changes to the responsible official's and permit contact person's names and telephone numbers.

---

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**OP-65-00622: General Carbide Corporation** (1151 Garden Street, Greensburg, PA 15601). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the Greensburg Plant located in Hempfield Township, **Westmoreland County**:

Project to move Plant 4 finishing operations from Buncher Commerce Park Youngwood to Hempfield Industrial Park Greensburg. The following conditions of this de minimis emission increase will be included in the operating permit:

- All sources and controls shall be installed, operated, and maintained per manufacturer's recommended specifications;
- The finishing operations shall be conducted within the enclosed building;
- Dust, mist, and fumes from each source shall be controlled via "Internal Torit Collection Systems" equipped with HEPA filters and shall exhaust into the building;
- All four (4) outside baghouses exhaust outside (BH-7, BH-8, BH-14, and a new BH-19) rated at 4,000 CFM; 1,800 CFM; 3,190 CFM; and 2,800 CFM respectively shall be equipped with HEPA filters;
- The owner/operator shall use zero VOC coolant concentrate in the machinery viz "The Carbide Grinder by Spartan" and throughput record of the coolant shall be kept at site;
- All used coolant shall be collected and picked up by an outside company as a non-hazardous waste;
- The finished parts shall be cleaned with "Brakleen 50-State Formula" having 0.65 lb/gal VOC concentration and throughput record of Brakleen 50-State Formula shall be kept; and
- The operator shall keep a record of the chemical used in part washer or other chemicals used in finishing operations on 12-month rolling basis;
- Total emissions from this project will not exceed 1.0 tpy VOC.

The list of de minimis increases for this facility includes only this project.

**SOOP-11-00285: HRI, Inc. Johnstown Asphalt Plant** (280 Solomon Run Road, Johnstown, PA 15904). Per 25 Pa. Code § 127.449(i), this Notice is for the

following de minimis emission increase at HRI, Inc.'s Johnstown Asphalt Plant, located in Richland Township, **Cambria County**:

This project allows the installation of one 150 TPH reclaimed asphalt pavement (RAP) screen. The emission increase resulting from this project will not exceed 0.01 tpy PM<sub>10</sub>. This project will not trigger the requirements of 25 Pa. Code Subchapter G at the facility. This approval includes proper maintenance of the RAP screen, RAP throughput requirements, recordkeeping requirements, and will be subject to 25 Pa. Code §§ 123.1 and 123.2. The list of de minimis increases for this facility includes only this project.

---

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY 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 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—6018.1003).**

---

*Coal Permit Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814.472.1900, (Contact: Melanie Wigfield).*

**Permit 32940105 and NPDES No. PA0212806. Consol Mining Co., LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, permit renewal for reclamation only of a bituminous surface mine in Center Township, **Indiana County**, affecting 2.2 acres. Receiving stream: unnamed tributary to Yellow Creek, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy Homer City Generating Station, PWS ID No. 5320802. Application received: October 9, 2019. Permit issued: April 13, 2020.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**02080102 and NPDES Permit No. PA0251500. Cherep's Excavating, LLC**, 9742 Saltsburg Road, Pittsburgh, PA 15239-2126. Permit renewal for continued mining to an existing bituminous surface mine located in North Fayette and Collier Townships, **Allegheny County**, affecting 121.4 acres. Receiving stream(s): unnamed tributaries to Robinson Run, Robinson Run, unnamed tributaries to Pinkerston Run and Pinkerston Run. Application received: July 23, 2019. Permit issued: April 16, 2020.

**03793072 and NPDES Permit No. PA061237. Consol Mining Company, LLC**, CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317. Permit renewal for continued mining to an existing bituminous

surface mine located in Kiskiminetas and Young Townships, **Armstrong and Indiana Counties**, affecting 302 acres. Receiving stream(s): unnamed tributary to Big Run and Big Run. Application received: April 23, 2019. Permit issued: April 16, 2020.

*Noncoal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814.472.1900, (Contact: Melanie Wigfield).*

**PAM415001-GP104. TMS Excavating, LLC**, 226 Reservoir Road, McConnellsburg, PA 17233. Renew Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 29150801 located in Ayr Township, **Fulton County**. Receiving stream: unnamed tributary to Kendall Run classified for the following uses: CWF, MF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: April 6, 2020. Approved: April 13, 2020.

**PAM414003-GP104. Cambria Industrial Metals, Inc.**, P.O. Box 64430, Washington, DC 20029. Renew Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 11940301 located in East Taylor Township, **Cambria County**. Receiving stream: Hinckston Run classified for the following uses: WWF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: April 6, 2020. Approved: April 13, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 8175SM1A1C3. McAvoy Vitrified Brick Company** (P.O. Box 468, Phoenixville, PA 19460), correction to decrease the permitted acres from 400.0 to 174.35 acres of quarry operation in Schuylkill Township, **Chester County**. Receiving stream: Schuylkill River. Application received: October 24, 2017. Correction issued: April 14, 2020.

**Permit No. PAM117051. McAvoy Vitrified Brick Company** (P.O. Box 468, Phoenixville, PA 19460), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 8175SM1 in Schuylkill Township, **Chester County**. Receiving stream: Schuylkill River. Application received: October 24, 2017. Permit issued: April 14, 2020.

**Permit No. 5278SM2C12 and NPDES Permit No. PA0595764. Hanson Aggregates PA, LLC** (7660 Imperial Way, Allentown, PA 18195), correction of an existing quarry operation to decrease the permitted acres from 107.8 to 89.0 acres in Lake Township, **Wayne County**. Receiving: unnamed tributary to Middle Creek. Application received: September 26, 2019. Correction issued: April 16, 2020.

**Permit No. PAM119017. Glen-Gery Corp.** (P.O. Box 7001, Wyomissing, PA 19610), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 67990301 in Dover Township, **York County**, receiving stream: unnamed tributary to Fox Run. Application received: July 5, 2019. Permit issued: April 16, 2020.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications 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 Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Wigfield).*

**11204001. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141. Blasting Activity Permit for the construction/demolition of the WM Landfill Laurel Highlands located in Jackson Township, **Cambria County** with an expiration date of December 31, 2020. Permit issued: April 10, 2020.

**32204001. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141. Blasting Activity Permit for the construction/demolition of the WM Landfill Homer City located in Center Township, **Indiana County** with an expiration date of December 31, 2020. Permit issued: April 10, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570.621.3118, (Contact: Theresa Flannery).*

**Permit No. 23204103. Maine Drilling & Blasting, Inc.** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for the Franklin Mint in Middletown Township, **Delaware County** with an expiration date of December 31, 2020. Permit issued: April 17, 2020.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department 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, the Department 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.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

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

**Actions on applications 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.**

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**E5402220-001. Comcast Cable Communications Management, LLC**, 1131 South Duke Street, Lancaster, PA 17602, Port Clinton Borough, **Schuylkill County**, Army Corps of Engineers, Philadelphia District.

To relocate an existing overhead cable line that crosses aerially over the Little Schuylkill River (CWF, MF), adjacent to the norther side of the Broad Street Bridge. The Little Schuylkill River is classified as a Scenic River and a SLLA water. The upcoming replacement of the Broad Street Bridge is causing the existing cable line crossing to be relocated 90-feet north. The proposed cable line crossing will be attached to utility poles on either side of the river. The installation of the utility poles will be within the floodway of the Little Schuylkill River.

**E1302219-003. Exeter Industrial Drive Route 940 Land, LLC**, 101 West Elm Street, Suite 600, Conshohocken, PA 19428, Kidder Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Exeter Township Drive Route 940 Land, LLC development project, which will involve a 951,250 ft<sup>2</sup> warehouse building, entrance roads, and parking lots:

1. A utility line stream crossing of a UNT to Black Creek (HQ-CWF) consisting of two (2) 9-LF, 3-inch diameter PVC sewage pipes to be installed via directional boring.

2. A utility line crossing of PFO wetlands (EV) consisting of two (2) 8-LF, 3-inch diameter PVC sewage pipes to be installed via directional boring.

3. A utility line crossing of PEM wetlands (EV) consisting of two (2) 34-LF, 3-inch diameter PVC sewage pipes to be installed via directional boring. The project is located along the S.R. 940, approximately 1.1 mile east of the intersection of S.R. 940 and Walter Dam Road (Hickory Run, PA Quadrangle Latitude: 40° 4' 53.76"; Longitude: 75° 41' 11.99") in Kidder Township, Carbon County.

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02051-1831, PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Bell Acres Borough, **Allegheny County**, and Economy Borough, **Beaver County**; Pittsburgh ACOE District.

Has been given consent to:

Remove the existing, 56 LF single-span steel girder bridge, and construct and maintain a replacement 80 LF single-span, prestressed concrete box beam bridge, along with scour protection, carrying SR 4036 Section A09 (Big Sewickley Road) over Big Sewickley Creek (TSF), for the purpose of replacing a deteriorating structure. The project will permanently impact 41 LF, and temporarily impact 85 LF of Big Sewickley Creek.

The project site is located along Big Sewickley Road, near the intersection with Hopkins Church Road (Ambridge, PA USGS topographic quadrangle; N: 40°, 36', 33.3"; W: 80°, 09', 30.6"; Sub-basin 20G; USACE Pittsburgh District), in Bell Acres Borough, Allegheny County, and Economy Borough, Beaver County.

**E02051-1835, PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Penn Hills Township, **Allegheny County**; Pittsburgh ACOE District.

1. Construct and maintain a new 5' wide by 8' long modular retaining wall to support the roadway and streambank along the Unnamed Tributary (UNT) to Sandy Creek (WWF), having a total permanent impact of 8 LF and temporary impact of 18 LF.

2. Construct and maintain a new 5' wide by 172' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 172 LF and temporary impact of 182 LF.

3. Construct and maintain a new 5' wide by 25' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 25 LF and temporary impact of 35 LF.

4. Construct and maintain a new 5' wide by 90' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 90 LF and temporary impact of 100 LF.

5. Construct and maintain a new 5' wide by 75' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 75 LF and temporary impact of 85 LF.

6. Construct and maintain a new 5' wide by 126' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 126 LF and temporary impact of 136 LF.

7. Construct and maintain a new 5' wide by 82' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 82 LF and temporary impact of 92 LF.

8. Construct and maintain a new 5' wide by 29' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 29 LF and temporary impact of 39 LF.

9. Construct and maintain a new 5' wide by 60' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 60 LF and temporary impact of 70 LF.

10. Construct and maintain a new 5' wide by 20' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

11. Construct and maintain a new 5' wide by 49' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 49 LF and temporary impact of 59 LF.

12. Construct and maintain a 5' wide by 94' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 94 LF and temporary impact of 104 LF.

13. Construct and maintain a 5' wide by 20' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

14. Construct and maintain a 5' wide by 6' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 6 LF and temporary impact of 16 LF.

15. Construct and maintain a 5' wide by 61' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 61 LF and temporary impact of 71 LF.

16. Construct and maintain a new 5' wide by 93' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 93 LF and temporary impact of 103 LF.

17. Construct and maintain a new 5' wide by 182' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

18. Construct and maintain a new 5' wide by 147' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

19. Construct and maintain a new 5' wide by 67' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

20. Construct and maintain a new 5' wide by 18' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

21. Construct and maintain a new 5' wide by 32' long shoulder backup along another reach of the same UNT to Sandy Creek.

22. Construct and maintain a new 5' wide by 20' long shoulder backup along another reach of the same UNT to Sandy Creek.

23. Construct and maintain a new 5' wide by 33' long shoulder backup along another reach of the same UNT to Sandy Creek.

24. Construct and maintain a new 5' wide by 47' long shoulder backup along another reach of the same UNT to Sandy Creek.

25. Construct and maintain a new 5' wide by 43' long shoulder backup along another reach of the same UNT to Sandy Creek.

26. Place and maintain a new 3' wide by 20' long grout bags along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

27. Operate and maintain the existing 145' long 36" concrete pipe carrying Lime Hollow Road over another reach of the same UNT to Sandy Creek, having a total permanent impact of 145 LF and temporary impact of 235 LF.

For the purpose of repairing numerous slides along SR 2064 (Lime Hollow Road), in Penn Hills Township, Allegheny County. The total permanent impacts for this project are 1,672 LF and the total temporary impacts are 1,435 LF. The project site is located along SR 2064 (Lime Hollow Road) (Braddock, PA USGS topographic quadrangle; 40° 28' 24.9395" N, 79° 50' 11.1425" W; Sub-basin 18A; USACE Pittsburgh District), in Penn Hills Township, Allegheny County.

**E02051-1835, PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Penn Hills Township, **Allegheny County**; Pittsburgh ACOE District.

1. Construct and maintain a new 5' wide by 8' long modular retaining wall to support the roadway and streambank along the Unnamed Tributary (UNT) to Sandy Creek (WWF), having a total permanent impact of 8 LF and temporary impact of 18 LF.

2. Construct and maintain a new 5' wide by 172' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 172 LF and temporary impact of 182 LF.

3. Construct and maintain a new 5' wide by 25' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 25 LF and temporary impact of 35 LF.

4. Construct and maintain a new 5' wide by 90' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 90 LF and temporary impact of 100 LF.

5. Construct and maintain a new 5' wide by 75' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 75 LF and temporary impact of 85 LF.

6. Construct and maintain a new 5' wide by 126' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 126 LF and temporary impact of 136 LF.

7. Construct and maintain a new 5' wide by 82' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 82 LF and temporary impact of 92 LF.

8. Construct and maintain a new 5' wide by 29' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 29 LF and temporary impact of 39 LF.

9. Construct and maintain a new 5' wide by 60' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to

Sandy Creek, having a total permanent impact of 60 LF and temporary impact of 70 LF.

10. Construct and maintain a new 5' wide by 20' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

11. Construct and maintain a new 5' wide by 49' long modular retaining wall to support the roadway and streambank along another reach of the same UNT to Sandy Creek, having a total permanent impact of 49 LF and temporary impact of 59 LF.

12. Construct and maintain a 5' wide by 94' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 94 LF and temporary impact of 104 LF.

13. Construct and maintain a 5' wide by 20' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

14. Construct and maintain a 5' wide by 6' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 6 LF and temporary impact of 16 LF.

15. Construct and maintain a 5' wide by 61' long rock slope (R-6 rock at a 1.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 61 LF and temporary impact of 71 LF.

16. Construct and maintain a new 5' wide by 93' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek, having a total permanent impact of 93 LF and temporary impact of 103 LF.

17. Construct and maintain a new 5' wide by 182' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

18. Construct and maintain a new 5' wide by 147' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

19. Construct and maintain a new 5' wide by 67' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

20. Construct and maintain a new 5' wide by 18' long geosynthetic reinforced soil slope (0.5:1 slope) along another reach of the same UNT to Sandy Creek.

21. Construct and maintain a new 5' wide by 32' long shoulder backup along another reach of the same UNT to Sandy Creek.

22. Construct and maintain a new 5' wide by 20' long shoulder backup along another reach of the same UNT to Sandy Creek.

23. Construct and maintain a new 5' wide by 33' long shoulder backup along another reach of the same UNT to Sandy Creek.

24. Construct and maintain a new 5' wide by 47' long shoulder backup along another reach of the same UNT to Sandy Creek.

25. Construct and maintain a new 5' wide by 43' long shoulder backup along another reach of the same UNT to Sandy Creek.

26. Place and maintain a new 3' wide by 20' long grout bags along another reach of the same UNT to Sandy Creek, having a total permanent impact of 20 LF and temporary impact of 30 LF.

27. Operate and maintain the existing 145' long 36" concrete pipe carrying Lime Hollow Road over another reach of the same UNT to Sandy Creek, having a total permanent impact of 145 LF and temporary impact of 235 LF.

For the purpose of repairing numerous slides along SR 2064 (Lime Hollow Road), in Penn Hills Township, Allegheny County.

The total permanent impacts for this project are 1,672 LF and the total temporary impacts are 1,435 LF.

The project site is located along SR 2064 (Lime Hollow Road) (Braddock, PA USGS topographic quadrangle; 40° 28' 24.9395" N, 79° 50' 11.1425" W; Sub-basin 18A; USACE Pittsburgh District), in Penn Hills Township, Allegheny County.

**E02052-1821, River Materials, Inc.**, 103 Yost Boulevard, Suite 200, Pittsburgh, PA 15221, City of McKeesport, **Allegheny County**; Pittsburgh ACOE District.

Has been given consent to:

1. Operate and maintain an existing docking facility along the right downstream bank of the Monongahela River (WWF-N) at River Mile 14.1, consisting of a 195' x 35' working barge and a 500' piling wall.

2. Operate and maintain a stormwater settling pond for industrial discharges in association with the maintenance of the docking facility.

3. Construct, operate and maintain a 94' x 87' construction conveyor located within the floodway.

4. Perform maintenance dredging in the Monongahela River to an area of 500' x 87' (1 acre) and depth of 10.5' at the docking facility.

For the purpose of returning full functionality of the existing docking facility. In order to mitigate for potential impacts to shallow water habitat (<5') for fish populations, a 160' x 26' area of rock piles will be constructed on-site. The project site is located 275 Center Street, McKeesport, PA 15132, McKeesport, PA USGS topographic quadrangle; N: 40°, 21', 26"; W: -79°, 50', 29"; Sub-basin 19A; USACE Pittsburgh District), in the City of McKeesport, Allegheny County.

**E63052-734, Washington County Commissioners**, 100 West Beau Street, Suite 701, Washington, PA 15301, Cross Creek Township, **Washington County**; Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain four (4) 20 foot by 80-foot fishing piers within Cross Creek Reservoir;

2. Construct and maintain one (1) 20 foot by 35-foot fishing pier within Cross Creek Reservoir;

3. Construct and maintain a 10-foot-wide by 570-foot-long boardwalk along the Cross Creek Reservoir;

4. Construct and maintain a road crossing over Stream 1 UNT to Cross Creek (HQ-WWF), consisting of an 18" HDPE culvert;

5. Construct and maintain a road crossing over Stream 4 UNT to Cross Creek (HQ-WWF), consisting of a 48" HDPE culvert.

For the purposes of developing a recreational area with hiking trails, fishing piers and a boardwalk. The project site is located approximately 5,500 feet north-northwest of the intersection of Beech Road and Park View Road (Avella, PA USGS topographic quadrangle; N: 40°, 15',

27.75'; W: -80°, 24', 6.03"; Sub-basin 20D; USACE Pittsburgh District), in Cross Creek Township, Washington County.

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, telephone: 717-787-3411.*

**MB9915-0002. Evergreen Environmental, LLC**, 425 Darby Paoli Road, Wayne, PA 19087. Statewide Coverage, ACOE Baltimore, Philadelphia and Pittsburgh Districts.

The permittee is approved to provide compensatory mitigation to meet third party aquatic resource compensation obligations as established through this permit issued pursuant to Chapter 105. The applicant is approved the authority to operate compensatory mitigation banking within the Commonwealth, PA State Water Plan Subbasin 04.

Approval to restore, rehabilitate or enhance the aquatic resource improvement site known as the Hop Bottom Creek Mitigation Bank. The site is located along Hop Bottom Creek (CWF) in Brooklyn Township, Susquehanna County (Latitude: 41° 45' 25"; Longitude: 75° 48' 54"). The site is comprised of 33.27 acres which consists of 0.47 acre of wetland reestablishment, 8.32 acres of wetland rehabilitation and 20.02 acres of wetland enhancement and 3.85 acres of upland/floodway enhancement. The project proposes to plug 5 ditches that alter/restore site hydrology, plant various shrubs and trees to establish a PSS/FO wetland complex resulting in an estimated 14.03 wetland credits.

**MB990556-0001. First Pennsylvania Resource, LLC**, Laurel Run Road, Somerset, PA 15501. Laurel Hill Creek Mitigation Bank Phase I, Jefferson Township, **Somerset County** (40° 1' 30.00" North 79° 10' 57" West), USACE Pittsburgh District.

Approval to construct and operate the Laurel Hill Creek Mitigation Bank Phase I consisting of restoration, enhancement and conservation activities within approximately 102 acres of the Laurel Hill Creek watershed. These activities would include activities affecting 68 acres of uplands, floodplains, 25,645 linear feet of stream channels and 31 acres of wetland areas of the Laurel Hill Creek watershed and several unnamed tributaries. The project's limits include a large portion of the main stem of Laurel Hill Creek, multiple unnamed tributaries of Laurel Hill Creek and wetlands and riparian corridors. The project may result in 23,735.5 stream credits and 19.77 wetland credits. The project is intended to provide compensatory mitigation for impacts located within Service Area: State Water Plan Subbasin 19.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. E5829-150, Williams Field Services Company, LLC**, Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275, Natural Gas Pipeline Access Road. Gibson Township, **Susquehanna County**; ACOE, Baltimore Office.

To construct, operate, and maintain:

1) a permanent access road fill impact of 850 square feet (0.02 acre) to an agricultural Palustrine Emergent Wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 12", Longitude: -75° 38' 32"),

2) temporary ancillary construction impacts to 376 square feet (0.01 acre) of a Palustrine Emergent Wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 12", Longitude: -75° 38' 32").

The project consists of installing 0.4 mile of permanent access road to provide permanent operational access to the Columbia-Davis Pipelines interconnect valve site in Gibson Township, Susquehanna County. The project will result in 1,226 square feet (0.03 acre) of impacts to a Palustrine Emergent Wetland (PEM) located within agricultural lands.

*Regional Permit Coordination Office: Domenic Rocco, PE, Program Manager, Rachel Carson State Office Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, 717-772-5987.*

**E3683219-001. State Road Investors, LLC**, 2456 Noll Drive, Lancaster, PA 17603. East Hempfield Township, **Lancaster County**, Army Corps of Engineers Baltimore District.

To authorize the following water obstruction and encroachments associated with the State Road over Swarr Run Bridge Replacement Project:

1. To remove the existing gas line and to construct and maintain an 8-inch gas line across Swarr Run (TSF, MF).

2. To remove the existing waterline and to construct and maintain a 12-inch waterline across Swarr Run.

3. To construct and maintain an 8-inch sanitary sewer line across Swarr Run.

4. To remove the existing bridge and to construct and maintain a 98-foot long, single span precast reinforced concrete arch bridge, having a span of 48-feet and an underclearance of 7.4-feet, carrying State Road across Swarr Run (TSF, MF). The concrete arch bridge will be supported on precast concrete spread footings and includes precast concrete wing walls on the upstream and downstream ends.

5. To construct and maintain a stormwater outfall consisting of an 18-inch concrete pipe with concrete flared end section and riprap apron.

6. To place fill in a de minimus area of PEM wetlands equal to 0.01 acre.

The project is located along State Road (T-554) (Columbia East, PA Quadrangle Latitude: 40° 04' 59.83"; Longitude: 76° 22' 53.21"). Permit issued 04/20/2020.

#### 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. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

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 Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG296620002-00  
Applicant Name Appalachia Midstream, LLC  
Contact Person Adam Weightman  
Address 30351 Route 6  
City, State, Zip Wysox, PA 18854  
County Wyoming  
Township(s) Windham  
Receiving Stream(s) and Classification(s) Little Mehoo-  
pany Creek (CWF, MF), Susquehanna River (WWF,  
MF);  
Secondary: Susquehanna River (WWF, MF), Susque-  
hanna River (WWF, MF)

ESCGP-3 # ESG290820002-00  
Applicant Name Appalachia Midstream, LLC  
Contact Person Adam Weightman  
Address 30351 Route 6  
City, State, Zip Wysox, PA 18854  
County Bradford  
Township(s) Wilmot and Wyalusing Townships  
Receiving Stream(s) and Classification(s) Sugar Run  
Creek (CWF, MF), Susquehanna River (WWF, MF);  
Secondary: Susquehanna River (WWF, MF)

ESCGP-3 # ESG290820008-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eris Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Wilmot  
Receiving Stream(s) and Classification(s) UNT to Sugar  
Run (CWF, MF), Sugar Run (CWF, MF);  
Secondary: Sugar Run (CWF, MF)

*Southwest District: Oil & Gas Management Program  
Manager, 400 Waterfront Drive, Pittsburgh, PA 15222,  
412-442-4281.*

ESCGP-3 # ESG076320004-00  
Applicant Name Chevron Appalachia LLC  
Contact Person Branden Weimer  
Address 700 Cherrington Pkwy  
City, State, Zip Coraopolis, PA 15108  
County Washington  
Township(s) Deemston  
Receiving Stream(s) and Classification(s) Trib 40726 of  
Plum Run (TSF), Trib 40725 of Plum Run (TSF);  
Secondary Receiving Water—Plum Run (TSF)

ESCGP-3 # ESX14-007-0015 Renewal  
Applicant Name PennEnergy Resources LLC  
Contact Person Cody Salmon  
Address 1000 Commerce Drive Park Place One, Suite 400  
City, State, Zip Pittsburgh, PA 15275  
County Beaver  
Township(s) New Sewickley Twp  
Receiving Stream(s) and Classification(s) Unnamed tribu-  
tary to Crows Run and Crows Run

ESCGP-3 # ESX17-059-0036 Major  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Brint Goettel  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Richhill  
Receiving Stream(s) and Classification(s) UNTs to South  
Fork Dunkard Fork (TSF) and South Fork Dunkard  
Fork (TSF)/Wheeling Creek Watershed;  
Secondary Receiving Water—Dunkard Fork (WWF)

ESCGP-3 # ESX14-059-0029 Renewal  
Applicant Name CNX Gas Company, LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Richhill Twp  
Receiving Stream(s) and Classification(s) UNTs to Enlow  
Fork (WWF);  
Secondary Receiving Water—Enlow Fork (TSF)

ESCGP-3 # ESX15-059-0057  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Brinton Goettel  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Franklin & Whiteley Twps  
Receiving Stream(s) and Classification(s) UNTs to Smith  
Creek (WWF), Smith Creek (WWF), UNTs to Patterson  
Run (TSF), Patterson Run (TSF)/South Fork Tenmile  
Creek (WWF) and Whiteley Creek (TSF)

ESCGP-3 # ESG073019035-00  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 400 Woodcliff Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Perry Twp  
Receiving Stream(s) and Classification(s) UNT to Shannon  
Run (WWF), Little Shannon Run (CWF);  
Secondary Receiving Waters—Shannon Run (WWF)

ESCGP-3 # EXG076319026-00  
Applicant Name CNX Midstream Operating Company  
LLC  
Contact Person Daniel Bitz  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) East Finley Twp  
Receiving Stream(s) and Classification(s) UNT to Long  
Run (WWF), UNT to Rocky Run (TSF), Enlow Fork  
(TSF), Templeton Fork (TSF)

ESCGP-3 # ESG073019004-00  
Applicant Name CNX Midstream Operating Company  
LLC  
Contact Person Ken Cerny  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Gilmore Twp  
Receiving Stream(s) and Classification(s) UNTs to/and  
Blockhouse Run (WWF), UNTs to/and Roberts Run  
(WWF), UNTs to/and Hannan Run (WWF), UNTs to/  
and Garrison Fork (Siltation-Impaired, WWF), UNTs  
to/and Pennsylvania Fork Dunkard Creek (WWF),  
UNTs to Pumpkin Run (WWF) and Negro Run (WWF),  
Secondary Receiving Water—Dunkard Creek (WWF)

*Northwest Region, Oil and Gas Management, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6860. Contact Mary Slye, Clerical Supervisor, 814-332-6325.*

ESCGP-3 # Murphys Bottom Well Pad—ESG080320001-00  
Applicant Name Snyder Bros Inc.  
Contact Person David Snyder  
Address P.O. Box 1022; One Glade Park East  
City, State, Zip Kittanning, PA 16201

County Armstrong  
Township(s) South Buffalo Township  
Receiving Stream(s) and Classification(s) Knapp Run—  
WWF, Allegheny River—WWF

*Northwest Region, Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Clarion County Conservation District, 217 S 7th Avenue, Room 106A, Clarion, PA 16214, 814-297-7813.*

ESCP No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
ESG0031190003	Dominion Energy Transmission Inc. 925 White Oaks Boulevard Bridge Port, EV 26330	Clarion	Limestone Township	UNT Piney Creek CWF, TSF; Piney Creek CWF, TSF

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

**The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or 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.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Helms Store**, 15-43090, 2840 Manor Rd., West Brandywine Township, **Chester County**. Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335, on behalf of J.H. Mack Oil Company, P.O. Box 387, Telford, PA 18969 submitted a Remedial Action Completion report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

**Marcus Hook Ind Complex**, 23-14224, 100 Green Street, Marcus Hook Borough, **Delaware County**. Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Sunoco Partners Marketing & Terminals L.P., Marcus Hook Industrial Complex, 100 Green Street, Marcus Hook, PA 19061, submitted a Remedial Action Plan & Remedial Action Completion Report concerning remediation of soil contaminated with crude oil. The report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Rudy & Sons-Easton Gulf**, Storage Tank ID # 48-22835, 2500 Northampton Street, Easton, PA 18042, Palmer Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Marmelo Enterprises, 220 Lloyd Street, Allentown, PA 18109, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Allentown Sunoco**, Storage Tank ID # 39-23145, 2255 Lehigh Street, Allentown, PA 18103, Allentown City, **Lehigh County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of HSR, Inc., 101 Parsons Lane, Newtown, PA 18940, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil contaminated with petroleum. The report is intended to document the remedial actions for meeting the Statewide Health Standards.

**Pump N Pantry 003**, Storage Tank ID # 58-13085, 493 Main Street, New Milford, PA 18834, New Milford Borough, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Pump N Pantry Inc., 754 Grow Avenue, Montrose, PA submitted a Remedial Action Plan concern-

ing remediation of soil and groundwater contaminated with gasoline and kerosene. The report is intended to document remediation of the site to meet Site Specific Standards.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Former Ganocy's Exxon**, Primary Facility ID # 30-27061, Route 88 & Kovach Rd., Greensboro, PA 15338, Monongahela Township, **Greene County**. Letterle & Associates Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Jacob's Petroleum Products Inc., 1115 E. High St., Waynesburg, PA 15370, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health standard.

**SuperValu New Stanton**, Primary Facility ID # 65-11809, 400 Paintersville Rd., New Stanton, PA 15672, Hempfield Township, **Westmoreland County**. Cribbs & Associates Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Supervalu Inc., P.O. Box 1000, New Stanton, PA 15672, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action 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 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.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the

notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

*Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Lukoil 69244**, 51-41437, 7959 Roosevelt Blvd, **City of Philadelphia**. Envirotrac Ltd., 3070 Bristol Pike, Building 1, Suite 221, Bensalem, PA 19020, on behalf of Lukoil North America LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The RACR demonstrated attainment of residential Statewide health and site-specific standards in soil and groundwater and was approved by the DEP on April 15, 2020.

**EZ Gas Sta**, 51-43054, 1701 Cottman Ave., **Philadelphia County**. Keith Valley Environmental, Inc., P.O. Box 5376, Deptford, NJ 08096, on behalf of Guru Krupa, Inc., 1701 Cottman Ave., Philadelphia, PA 19111-3802, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The RACR did not demonstrate attainment of site-specific standards in soil and groundwater and was disapproved by the DEP on April 20, 2020.

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Square One 107**, Storage Tank ID # 48-32602, 249 South Broadway, Wind Gap, PA 18091, Wind Gap Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Brenda Rosado, 2432 Emrick Boulevard, Bethlehem, PA 18020, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report was acceptable for meeting Statewide Health Standards and was approved by DEP on April 17, 2020.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

*Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.*

**Williamsport West Terminal**, Storage Tank Facility ID # 41-70544, 1606 Sylvan Dell Road, South Williamsport, Armstrong Township, **Lycoming County**. Piedmont Geologic, P.C., 6003 Chapel Hill Road, Suite 145, Raleigh, NC 27607, on behalf of Lucknow-Highspire Terminals, 900 S. Eisenhower Boulevard, Middletown, PA 17057 has submitted a Site Characterization Report Addendum and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on March 16, 2020.

**Coudersport Service Center**, Storage Tank Facility ID # 53-18399, 200 South Main Street, Coudersport Borough, **Potter County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Rd., Bangor, PA 18013, on behalf of Coudersport Service Center, 200 S Main Street, Coudersport, PA 16915, submitted a Site Characterization

Report/Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on April 20, 2020.

**Chestnut & Line Mifflinburg**, Storage Tank Facility ID # 60-13411, 29 E Chestnut St., Mifflinburg Borough, **Union County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Fl, Royersford, PA 19468, on behalf of CrossAmerica Partners, LP, 600 Hamilton St., Suite 500, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Non-Residential Statewide Health Standard and was approved by the Department on March 13, 2020.

**Former Fisher's Amoco**, Storage Tank Facility ID # 14-08892, 219 Water Street, Bellefonte Borough, **Centre County**. Gary C. Calvert LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of JJ Powell, Inc., P.O. Box 30, Philipsburg, PA 16866, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the Non-Residential Site-Specific Standard and was approved by DEP on April 7, 2020.

**Turkey Hill Minit Market Store 184**, Storage Tank Facility ID # 49-71058, 140 W. Lincoln Street, Shamokin, **Northumberland County**. McKee Environmental, Inc., 145 Exeter Lane, Bellefonte, PA 16823, on behalf of Turkey Hill Minit Markets, 257 Centreville Road, Lancaster, PA 17872, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with Petroleum. The report failed to demonstrate attainment of the Site-Specific Standard for soil and Statewide Health Standard for groundwater and was disapproved by DEP on March 13, 2020.

**Sunoco Facility 0003-2037**, Storage Tank Facility ID # 49-70098, 5th and Market Streets, Mount Carmel, **Northumberland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Evergreen Resources Management Operating, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the Residential Statewide Health and Site-Specific Standards and was approved by DEP on April 17, 2020.

**Sunoco Station # 0364-1306**, Storage Tank Facility ID # 60-24100, Buffalo Road & Derr Drive, Lewisburg Borough, **Union County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19481, on behalf of Sunoco LLC, c/o Evergreen Resources 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 demonstrated attainment of the Non-Residential Site-Specific Standard and was approved by DEP on April 17, 2020.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**F & E Rentals**, Primary Facility ID # 11-32072, 830 W. High St., Ebensburg, PA 15931, Ebensburg Borough, **Cambria County**. P. Joseph Lehman Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of C & J Falchini, 830

W. High St., Ebensburg, PA 15931, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report was not acceptable to meet the site-specific standards and was disapproved on April 15, 2020.

**Bridgeville BP**, Primary Facility ID # 02-26653, 3010 Washington Pike, Bridgeville, PA 15017, South Fayette Township, **Allegheny County**. Flynn Environmental Inc., 5640 Whipple Ave NW, North Canton, OH 44720, on behalf Anthony Cocca, FIDC 63 LLC, 100 DeBartolo Place, Youngstown, OH 44512, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet the Statewide Health and site-specific standards and was approved on April 20, 2020.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Coen Market 1203**, Storage Tank Facility ID # 32-01883, 9650 Route 422, Shelocta Borough, **Indiana County**. Letterle & Associates, Inc., 191 Howard Street, Suite 108, Franklin, PA 16323 on behalf of Coen Markets, 1000 Philadelphia Street, Canonsburg, PA 15317 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene and methyl tert-butyl ether. The Remedial Action Plan was not acceptable to meet the Statewide Health Standard and was disapproved by DEP on April 14, 2020.

**Sheetz 153**, Storage Tank Facility ID # 20-31643, 18425 Smock Highway, Vernon Township, **Crawford County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, submitted a Remedial Action Plan concerning the remediation of site soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, MTBE, 1,2,4 trimethylbenzene and 1,3,5 trimethylbenzene. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on April 17, 2020.

**7 Eleven 36147**, Storage Tank Facility ID # 10-31774, 1659 Route 228, Cranberry Township, **Butler County**. AECOM, Inc., 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7 Eleven, Inc., P.O. Box 711, Dallas, TX 75221 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB and methyl tert-butyl ether. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on April 20, 2020.

[Pa.B. Doc. No. 20-607. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Air Quality Technical Advisory Committee Special Virtual Meeting

The Air Quality Technical Advisory Committee (Committee) will hold a special virtual meeting on Thursday,



May 7, 2020, at 9:15 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Committee's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Kirit Dalal at [kdalal@pa.gov](mailto:kdalal@pa.gov) or (717) 772-3436.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Air Advisory Committees," then "Air Quality Technical Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning this special meeting can be directed to Kirit Dalal at [kdalal@pa.gov](mailto:kdalal@pa.gov) or (717) 772-3436.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Amanda Rodriguez at (717) 787-9702 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 20-608. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Final Technical Guidance: New Guidance*

*DEP ID:* 150-4200-001. *Title:* Microbiology Incubation Units. *Description:* This guidance provides laboratory management with the tools to develop procedures for maintenance and verification of incubation units used for microbiological testing that meet the requirements for laboratory accreditation. This TGD was available for public comment August 24, 2019, through September 23, 2019. The Department received comments from four individuals and based on the suggestions provided, adjusted the guidance accordingly.

*Contact:* Questions regarding this TGD should be directed to Martina McGarvey at [mmcgarvey@pa.gov](mailto:mmcgarvey@pa.gov) or (717) 346-8618.

*Effective Date:* May 2, 2020

*DEP ID:* 150-4200-002. *Title:* Guidelines for Sample Collection, Receipt, and Handling. *Description:* This guidance provides laboratory management with the tools to develop sample collection, receiving, handling and reporting procedures that meet the requirements for laboratory accreditation. This TGD was available for public comment August 24, 2019, through September 23, 2019. The Department received comments from one individual and based on the suggestions provided, adjusted the guidance accordingly.

*Contact:* Questions regarding this TGD should be directed to Martina McGarvey at [mmcgarvey@pa.gov](mailto:mmcgarvey@pa.gov) or (717) 346-8618.

*Effective Date:* May 2, 2020

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 20-609. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Justice Advisory Board Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Environmental Justice Advisory Board (Board) meeting scheduled for Thursday, May 21, 2020, will be held as a virtual meeting beginning at 9 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Board's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Allison Acevedo at [alacevedo@pa.gov](mailto:alacevedo@pa.gov) or (484) 250-5818.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Environmental Justice Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each

meeting. Questions concerning the May 21, 2020, meeting can be directed to Allison Acevedo at [alacevedo@pa.gov](mailto:alacevedo@pa.gov) or (484) 250-5818.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Acevedo at (484) 250-5818 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-610. Filed for public inspection May 1, 2020, 9:00 a.m.]

## 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 Berks 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).

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. All 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 Mark Vottero, 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 [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

#### Act 101, Section 901 HHW Education Grant

Region	County	Applicant	Project	Grant
South-central	Berks	Berks County	HHW Education	\$34,320

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-611. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Mining and Reclamation Advisory Board; Regulation, Legislation and Technical Committee Virtual Meeting

The Regulation, Legislation and Technical Committee of the Mining and Reclamation Advisory Board (Board) will hold a virtual meeting on Monday, May 18, 2020, at 10 a.m. Individuals who wish to join the meeting may do so remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning this meeting can be directed to Daniel E. Snowden at [dsnowden@pa.gov](mailto:dsnowden@pa.gov) or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-612. Filed for public inspection May 1, 2020, 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):

Schuylkill Center  
1000 Schuylkill Manor Road  
Pottsville, PA 17901  
FAC ID # 453002

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Julia Pound Care Center  
1155 Indian Springs Road  
Indiana, PA 15701  
FAC ID # 090402

Westminster Woods at Huntingdon  
360 Westminster Drive  
Huntingdon, PA 16652  
FAC ID # 077502

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(e) and (j):

Harston Hall  
350 Haws Lane  
Flourtown, PA 19031  
FAC ID # 080702

Windy Hill Village of the Presbyterian Homes  
100 Dogwood Drive  
Phillipsburg, PA 16866  
FAC ID # 164302

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

Ephrata Manor  
99 Bethany Road  
Ephrata, PA 17522  
FAC ID # 053502

Homewood at Martinsburg, Pa, Inc.  
437 Givler Drive  
Martinsburg, PA 16662  
FAC ID # 340402

Homewood at Plum Creek  
425 Westminster Avenue  
Hanover, PA 17331  
FAC ID # 342202

The Lebanon Valley Home  
550 East Main Street  
Annville, PA 17003  
FAC ID # 730602

ManorCare Health Services—King of Prussia  
600 West Valley Forge Road  
King of Prussia, PA 19406  
FAC ID # 125902

ManorCare Health Services—Lancaster  
100 Abbeyville Road  
Lancaster, PA 17603  
FAC ID # 231302

ManorCare Health Services—Montgomeryville  
640 Bethlehem Pike  
Montgomeryville, PA 18936  
FAC ID # 382402

ManorCare Health Services—Wallingford  
115 South Providence Road  
Wallingford, PA 19086  
FAC ID # 230102

ManorCare Health Services—Yeadon  
14 Lincoln Avenue  
Yeadon, PA 19050-2822  
FAC ID # 122002

Sarah A. Todd Memorial Home  
1000 West South Street  
Carlisle, PA 17013  
FAC ID # 711402

Saint Paul Homes  
339 East Jamestown Road  
Greenville, PA 16125  
FAC ID # 971602

Thornwald Home  
442 Walnut Bottom Road  
Carlisle, PA 17013  
FAC ID # 082803

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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 AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-613. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Jewel Heist Fast Play Game 5085

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Jewel Heist (hereinafter “Jewel Heist”). The game number is PA-5085.

2. *Definitions*:

(a) *Authorized retailer* or *retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CASE*: A specific, pre-defined portion of the play area, which contains three play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each CASE is played separately.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering,

receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any "CASE," determine whether a player wins a prize.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Jewel Heist ticket is \$5.

4. *Description of the Jewel Heist Fast Play lottery game*:

(a) The Jewel Heist lottery game is an instant win game printed from a Lottery Terminal. With the exception of the "PROGRESSIVE TOP PRIZE" amount, all prizes are predetermined, and the player does not have the ability to select their own play symbols. Jewel Heist tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Jewel Heist is played by matching any of the play symbols in the "WINNING NUMBERS" area to the play symbols located in any "CASE." A player matching all three play symbols in this manner will win the prize shown under that "CASE." When a "Thief" (THIEF) symbol appears in any winning "CASE," double the prize shown for that "CASE." The "PROGRESSIVE TOP PRIZE" cannot be doubled. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Jewel Heist game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Jewel Heist game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the

self-service terminal a dollar amount equal to the total purchase price of a Jewel Heist game ticket and select the Jewel Heist option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Jewel Heist ticket characteristics*:

(a) A Jewel Heist ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of nine play areas designated as "CASE 1," "CASE 2," "CASE 3," "CASE 4," "CASE 5," "CASE 6," "CASE 7," "CASE 8," and "CASE 9." Each "CASE" is played separately.

(b) *Play Symbols*: Each Jewel Heist ticket will contain a "WINNING NUMBERS" area and nine "CASE" areas. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT) 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT) and 39 (THYNIN). The play symbols and their captions, located in the nine "CASE" areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and a Thief (THIEF) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$500, \$1,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$50,000 and increases by \$1<sup>00</sup> every time a Jewel Heist ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$50,000. Jewel Heist contains a feature that can double the prize in any "CASE" as detailed in section 4 (relating to description of the Jewel Heist Fast Play lottery game). For a complete list of prizes that can be won in this game, including multiplied prizes, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 4,800,000 tickets will be available for sale for the Jewel Heist lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Jewel Heist prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols match the same exact three play symbols in the same “CASE,” and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of a “PROGRESSIVE TOP PRIZE.” The amount won under this paragraph is the amount of the “PROGRESSIVE TOP PRIZE,” determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$50,000.

(c) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$50.00 (FIFTY) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$50.00 (FIFTY) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$25.00 (TWY FIV) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$15.00 (FIFTEEN) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$25.00 (TWY FIV) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$15.00 (FIFTN) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which two of the “WINNING NUMBERS” play symbols matches the same exact two play symbols in the same “CASE,” with a Thief (THIEF) symbol also appearing in that “CASE,” and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which three of the “WINNING NUMBERS” play symbols matches the same exact three play symbols in the same “CASE,” and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under that “CASE,” on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When You Match Any Winning Numbers To All Three Numbers In The Same Case, Win Prize Shown Under That Case.</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets:</i>
<i>Win With:</i> \$5	\$5	7.41	648,000
\$5 × 2	\$10	50	96,000

<i>When You Match Any Winning Numbers To All Three Numbers In The Same Case, Win Prize Shown Under That Case. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets:</i>
\$5 w/ THIEF SYMBOL	\$10	28.57	168,000
\$10	\$10	100	48,000
\$5 × 3	\$15	90.91	52,800
(\$5 w/ THIEF SYMBOL) + \$5	\$15	50	96,000
\$15	\$15	125	38,400
\$5 × 4	\$20	2,000	2,400
\$10 × 2	\$20	2,000	2,400
(\$5 × 2) + \$10	\$20	2,000	2,400
\$15 + \$5	\$20	2,000	2,400
(\$5 w/ THIEF SYMBOL) + \$10	\$20	125	38,400
\$10 w/ THIEF SYMBOL	\$20	125	38,400
\$20	\$20	666.67	7,200
\$5 × 5	\$25	5,000	960
\$20 + \$5	\$25	5,000	960
(\$5 w/ THIEF SYMBOL) + \$15	\$25	5,000	960
(\$10 w/ THIEF SYMBOL) + \$5	\$25	3,333	1,440
\$25	\$25	3,333	1,440
\$20 + \$15 + \$10 + \$5	\$50	12,000	400
\$25 + \$20 + \$5	\$50	12,000	400
(\$5 w/ THIEF SYMBOL) × 5	\$50	12,000	400
(((\$10 w/ THIEF SYMBOL) × 2) + (\$5 w/ THIEF SYMBOL))	\$50	12,000	400
(\$15 w/ THIEF SYMBOL) + (\$10 w/ THIEF SYMBOL)	\$50	12,000	400
(\$20 w/ THIEF SYMBOL) + (\$5 w/ THIEF SYMBOL)	\$50	12,000	400
\$25 w/ THIEF SYMBOL	\$50	12,000	400
\$50	\$50	12,000	400
\$25 × 4	\$100	24,000	200
\$50 × 2	\$100	24,000	200
(\$15 × 4) + (\$10 × 3) + (\$5 × 2)	\$100	24,000	200
\$50 + \$25 + \$15 + \$10	\$100	24,000	200
(((\$10 w/ THIEF SYMBOL) × 4) + ((\$5 w/ THIEF SYMBOL) × 2))	\$100	24,000	200
(((\$15 w/ THIEF SYMBOL) × 2) + ((\$10 w/ THIEF SYMBOL) × 2))	\$100	40,000	120
(\$20 w/ THIEF SYMBOL) + (\$15 w/ THIEF SYMBOL) + (\$10 w/ THIEF SYMBOL) + (\$5 w/ THIEF SYMBOL)	\$100	60,000	80
(\$25 w/ THIEF SYMBOL) + (\$20 w/ THIEF SYMBOL) + (\$5 w/ THIEF SYMBOL)	\$100	60,000	80
\$50 w/ THIEF SYMBOL	\$100	60,000	80
\$100	\$100	60,000	80
\$500 w/ THIEF SYMBOL	\$1,000	480,000	10
\$1,000	\$1,000	480,000	10
PROGRESSIVE TOP PRIZE	\$50,000*	320,000	15

When a "THIEF" (THIEF) symbol appears in any winning CASE, DOUBLE the PRIZE shown for that CASE. Each CASE is played separately.

\*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$50,000. The PROGRESSIVE TOP PRIZE increases by \$1<sup>00</sup> every time a ticket is purchased, and resets to \$50,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$1<sup>00</sup> from the sale of each Jewel Heist ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Jewel Heist game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e. \$1.00 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Jewel Heist lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Jewel Heist lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Jewel Heist or through normal communications methods.

20. *Applicability:* This notice applies only to the Jewel Heist lottery game announced in this notice.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 20-614. Filed for public inspection May 1, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania SKEE-BALL® Fast Play Game 5086

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania SKEE-BALL® (hereinafter “SKEE-BALL®”). The game number is PA-5086.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket, which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “YOUR NUMBERS” play symbols determine whether a player wins a prize.



(k) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(l) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the “WINNING NUMBERS” play symbols, determine whether a player wins a prize.

3. *Price*: The price of a SKEE-BALL® ticket is \$2.

4. *Description of the SKEE-BALL® Fast Play lottery game*:

(a) The SKEE-BALL® lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. SKEE-BALL® tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) SKEE-BALL® is played by matching the play symbols in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A SKEE-BALL® game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a SKEE-BALL® game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a SKEE-BALL® game ticket and select the SKEE-BALL® option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *SKEE-BALL® ticket characteristics*:

(a) A SKEE-BALL® ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each SKEE-BALL® ticket play area will contain a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols located in the “WINNING NUMBERS” and “YOUR NUMBERS” areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT).

(c) *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500 and \$10,000. A player can win up to eight times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 1,200,000 tickets will be available for sale for the SKEE-BALL® lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a SKEE-BALL® Second-Chance Drawing for which non-winning SKEE-BALL® lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All SKEE-BALL® prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate chances of winning.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$2	\$2	7.69	156,000
\$2 × 2	\$4	50	24,000
\$4	\$4	50	24,000
\$5	\$5	16.95	70,800
\$2 × 5	\$10	500	2,400
\$5 × 2	\$10	500	2,400
(\$4 × 2) + \$2	\$10	142.86	8,400
\$10	\$10	133.33	9,000
\$10 × 2	\$20	2,000	600
(\$4 × 2) + \$10 + \$2	\$20	500	2,400
(\$5 × 2) + (\$4 × 2) + \$2	\$20	500	2,400
(\$5 × 2) + \$10	\$20	1,000	1,200
\$20	\$20	1,000	1,200
\$10 × 4	\$40	10,000	120
\$20 × 2	\$40	10,000	120
(\$5 × 4) + \$20	\$40	2,500	480
(\$10 × 2) + (\$5 × 2) + (\$4 × 2) + \$2	\$40	3,333	360
(\$10 × 2) + (\$5 × 4)	\$40	3,333	360
\$40	\$40	5,000	240
(\$10 × 2) + (\$5 × 2) + \$20	\$50	6,000	200
(\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2	\$50	6,000	200
(\$20 × 2) + (\$5 × 2)	\$50	6,000	200
(\$20 × 2) + \$10	\$50	6,000	200
\$40 + \$10	\$50	12,000	100
\$50	\$50	12,000	100
\$50 × 2	\$100	24,000	50
(\$20 × 2) + (\$10 × 2) + \$40	\$100	12,000	100
(\$40 × 2) + \$20	\$100	12,000	100
\$50 + \$40 + \$10	\$100	12,000	100
\$100	\$100	24,000	50
\$100 × 2	\$200	24,000	50
(\$20 × 3) + (\$10 × 4) + \$100	\$200	24,000	50
(\$50 × 2) + \$100	\$200	24,000	50
\$100 + \$50 + \$40 + \$10	\$200	24,000	50
\$200	\$200	24,000	50
(\$50 × 4) + \$200 + \$100	\$500	120,000	10
(\$100 × 2) + (\$50 × 2) + \$200	\$500	120,000	10
(\$200 × 2) + \$100	\$500	120,000	10

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$500	\$500	120,000	10
\$10,000	\$10,000	120,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

9. The Pennsylvania Lottery's (hereafter, the "Lottery") SKEE-BALL® Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5086 SKEE-BALL® (\$2) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one SKEE-BALL® Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. May 4, 2020, through 11:59:59 p.m. July 2, 2020, will be entered into the Drawing to be held between July 7, 2020 and July 15, 2020.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <http://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawings, the entry has a chance to be multiplied by ten

(hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5086 SKEE-BALL® (\$2) = two entries.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 4, or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Approximate Number of Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 10X Multiplier Are 1 In:</i>
445,910	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iii) The fifth and the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$4,000.

(iv) The seventh and the eighth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$3,000.

(v) The ninth and the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$2,000.

(vi) The eleventh and the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(vii) The thirteenth through the sixty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, MARC USA, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by

the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play SKEE-BALL® lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play SKEE-BALL® lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A

bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote SKEE-BALL® or through normal communications methods.

21. *Applicability:* This notice applies only to the SKEE-BALL® lottery game announced in this notice.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 20-615. Filed for public inspection May 1, 2020, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meeting by conference call: Thursday, May 7, 2020—Council meeting at 10 a.m.

The public is invited to participate. To do so contact Reneé Greenawalt, [rgreenawalt@phc4.org](mailto:rgreenawalt@phc4.org) at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 20-616. Filed for public inspection May 1, 2020, 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](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-319	Pennsylvania Public Utility Commission Electricity Generation Customer Choice	4/17/20	5/21/20

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 20-617. Filed for public inspection May 1, 2020, 9:00 a.m.]

## INSURANCE DEPARTMENT

### COVID-19 Guidance Regarding Temporary Individual Resident Producer Licensure; Notice 2020-12

Due to the novel coronavirus (COVID-19) pandemic, all producer examination testing centers are currently closed in this Commonwealth and will remain closed until further notice. Therefore, to assure the continuity of certain vital insurance services and to address the disruption caused by the COVID-19 pandemic, the Insurance Department (Department) is issuing this notice to all insurance companies, agencies and interested parties in this Commonwealth. Under section 609-A of The Insurance Department Act of 1921 (act) (40 P.S. § 310.9), the Department will begin the issuance of temporary producer licenses to those qualifying individuals wishing to become resident insurance producers in this Commonwealth.

The temporary licensing of individual resident insurance producers will be subject to the following terms and mandates:

#### *Prerequisites for Temporary Licensure:*

- An insurance company holding an active certificate of authority in this Commonwealth must sponsor (Sponsor-

ing Insurer) the individual for temporary licensure. The individual need not be an employee of the insurance company but must be actively appointed to represent the Sponsoring Insurer. The Sponsoring Insurer must be authorized to write the lines of insurance in which the individual is applying. The appointment will be in effect only as long as the temporary license is valid.

- Temporary licensees will only be permitted to hold an appointment with one Sponsoring Insurer.

- Only the Sponsoring Insurer is permitted to submit applications on behalf of individuals for temporary licensure.

- Twenty-four credit hours of prelicensing education must be completed by the individual prior to issuance of a temporary license, which may be administered by a Department-approved provider. While in-person, prelicensing education has been temporarily suspended in this Commonwealth, web-based education is still available through Department-approved providers. If an individual is not able to find web-based, prelicensing education through a Commonwealth provider, the Sponsoring Insurer must certify to the Department that the insurer has conducted 24 credit hours of its own prelicensing education for the individual applicant.

- The individual seeking temporary licensure must complete the fingerprinting/background check process through the Department.

- An application fee of \$55 must be paid to the Department. If a temporary licensee takes and passes the appropriate producer licensing exam prior to the expiration of the temporary license, the Department will waive the application fee to become a fully-licensed resident producer without requiring an additional application or fingerprinting/background check.

- If a temporary licensee takes and passes the appropriate producer licensing exam within 6 months after the expiration of the temporary license, the temporary licensee must complete the fingerprinting/background check process through the Department to be fully-licensed as a resident producer. However, no additional fee or application is required.

- The Sponsoring Insurer will confirm to the Department that the temporary licensee's sales activities and training are coordinated by a fully-licensed resident insurance producer in this Commonwealth in good standing with the Department or, where applicable, a Financial Industry Regulatory Authority licensed registered principal.

*Terms and Conditions for Insurers and Temporary Producer Licensees:*

- The temporary producer license allows the individual to operate in this Commonwealth as a resident temporary producer. Temporary producers are not eligible for non-resident licenses in other states.

- The temporary license is valid for no more than 180 days from the date of issuance. This temporary license is nontransferable and cannot be renewed.

- Each temporary licensee shall have only one Sponsoring Insurer and appointment.

- Individuals receiving a temporary license will receive notification from the Department of the issuance of the temporary individual resident producer license, along with all restrictions, entitlements and notice of expiration. Directions will be provided for how the licensee can print the license to show proof of temporary licensure.

- Under section 609-A(d) of the act (40 P.S. § 310.9(d)), the Department may revoke a temporary license if it is deemed in the public interest. Any founded violations of the Commonwealth insurance law or regulations may result in immediate revocation of the temporary license.

- Any active temporary producer license issued by the Department may be converted to a regular producer license by completion of all prerequisites of a license for the desired lines of authority, including meeting all examination and fingerprint requirements under Commonwealth statute.

- The Sponsoring Insurer must keep track of which licensees have been provided a temporary license in order to quickly move them through the exam and background process once testing centers are again available for use.

*How to Apply:*

- Sponsoring Insurers must submit applications for the temporary license electronically at [www.sircon.com](http://www.sircon.com) through a subscriber account. To apply for the temporary license, the sponsoring insurer must be a Sircon account holder.

- If the Sponsoring Insurer does not have a Sircon account, go to [www.sircon.com/products/carriers/signup/](http://www.sircon.com/products/carriers/signup/) and follow the instructions to establish an account.

- Any questions regarding Sircon carrier accounts should be directed to [sirconsupport@vertafore.com](mailto:sirconsupport@vertafore.com) or (877) 876-4430.

*Anticipated Timeline for Implementation and Duration:*

- The Department anticipates being able to begin the temporary resident producer licensing process by the end of April.

- The application process will take approximately 20 to 25 days from prelicensing education to issuance of the temporary license to the individual.

- This extended timeline is due to COVID-19 related delays in the processing of background checks. If those delays are alleviated, this timeline may be accelerated in the coming weeks.

- Insurers, agencies and interested parties in this Commonwealth are encouraged to monitor the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) for periodic updates regarding the availability of the temporary license.

- The ability to apply for temporary licensure will remain in effect until which time that the Commissioner determines that temporary licensure is no longer in the public interest. However, previously-issued temporary licenses will still remain in effect until 180 days from the date of issuance.

*Note on Remote Testing:*

- In response to the COVID-19 pandemic, the Department is currently working with its examination vendor to make remote electronic testing available and anticipates possible implementation in late summer or early fall.

Individual with questions about this notice should contact the resource account, [ra-in-producer@pa.gov](mailto:ra-in-producer@pa.gov), (717) 787-3840.

JESSICA K. ALTMANN,  
Insurance Commissioner

[Pa.B. Doc. No. 20-618. Filed for public inspection May 1, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Natural Gas Service

**A-2020-3019520. Columbia Gas of Pennsylvania, Inc.** Application of Columbia Gas of Pennsylvania, Inc. for approval of the abandonment of natural gas service to two residential premises located in Adams County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, May 18, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, Commonwealth Keystone Building,

400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Columbia Gas of Pennsylvania, Inc.

*Through and By Counsel:* Amy Hirakis, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102; Theodore J. Gallagher, Esquire, Meagan B. Moore, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-619. Filed for public inspection May 1, 2020, 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. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). 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. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 18, 2020. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2020-3018930. The Executive Limousine Co., LLC** (112 Pegasus Court, Bear, DE 19701) persons in limousine service, from points in Delaware County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2020-3018978. Emergency Medical Transport Solutions, LLC** (1047 Pond Road, Pennsdale, Lycoming County, PA 17756) in paratransit service, limited to persons requiring transportation in wheelchair capable vehicles, from points in the Counties of Columbia, Montour, Northumberland, Snyder and Union, to points in Pennsylvania, and return.

**A-2020-3019091. Michael Mohler, t/a Michael's Personal Driver Service** (1010 Belmont Street, Apartment

3, Easton, Northampton County, PA 18042) for the right to begin to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Berks, Bucks, Lehigh, Montgomery and Northampton to the Lehigh Valley International Airport, and vice versa.

**A-2020-3019241. Wisa Enterprises, LLC** (4601 Locust Lane, Suite 104, Harrisburg, Dauphin County, PA 17109) in paratransit service, from points in the Counties of Cumberland, Dauphin, Lancaster and Lebanon, to points in Pennsylvania, and return.

**A-2020-3019382. Highland Acres Farm, LLC** (22135 Path Valley Road, Doylestown, PA 17219) persons, in paratransit service, from points in Franklin County, to points in Pennsylvania, and return.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2020-3019425. Lycoming-Clinton Counties Commission for Community Action (STEP), Inc.** (2138 Lincoln Street, Williamsport, PA 17701) to transport persons, in contract carrier service, for Medical Transportation Management and Coordinated Transportation Solutions, between points in the Counties of Centre, Clinton, Columbia, Lycoming, Montour, Northumberland, Snyder and Union, to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2020-3019285. Vernon A. Stoltzfus** (2207 Hastings Hill, Quarryville, Lancaster County, PA 17566) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00120004, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in Lancaster County, and from points in said county, to points in Pennsylvania, and return.

**A-2020-3019378. David Hydo, t/a Bedford Transportation Co.** (P.O. Box 60, Everett, PA 15537-0060) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00121861, persons in paratransit service, from points in the County of Bedford to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-620. Filed for public inspection May 1, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in



accordance with 52 Pa. Code (relating to public utilities). Answers are due May 18, 2020, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Kourtney L. Myers, Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Ms. Myers at: [komyers@pa.gov](mailto:komyers@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mailed to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Harrisburg City Cab, Inc., t/d/b/a Harrisburg City Cab and Liberty Cab; Docket No. C-2019-3011268

#### COMPLAINT

Now Comes the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission ("Commission"), by its prosecuting attorneys, and files this Complaint against Harrisburg City Cab, Inc., t/d/b/a Harrisburg City Cab and Liberty Cab ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11). See also Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) at 5 (transferring authority to prosecute assessment cases to I&E).

3. Complainant is represented by:

Kourtney L. Myers  
 Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.705.4366  
[komyers@pa.gov](mailto:komyers@pa.gov)

Michael L. Swindler  
 Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

4. Respondent is Harrisburg City Cab, Inc., t/d/b/a Harrisburg City Cab and Liberty Cab and maintains its principal place of business at 1916 North 4th Street, Harrisburg, PA 17102, Attention: Lamont Palmer.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a Certificate of Public Convenience on or about January 12, 2010, at A-00122208, for taxi authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations. Section 3301(a)-(b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)-(b), allows for the imposition of a separate civil penalty for each violation and each day's continuance of such violation(s).

10. Respondent, in transporting passengers as a common carrier for compensation is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### *Factual Background*

##### *2016-2017 FISCAL YEAR*

12. On or about September 8, 2016, the Commission mailed to Respondent, by certified mail, an assessment invoice for the July 1, 2016 to June 30, 2017 Fiscal Year ("2016-2017 Fiscal Year") that was based, in part, on revenues for the 2015 calendar year that Respondent reported to the Commission in its 2015 Assessment Report. Respondent's assessment was \$10,709. A copy of the assessment invoice is attached as Exhibit 1.

13. Accompanying the assessment invoice was a notice of assessment that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days. A copy of the notice of assessment is attached as Exhibit 2.

14. On September 14, 2016, Respondent provided an electronic signature to the United States Postal Service for the certified mailing, which indicated that it received the assessment invoice and notice of assessment for the 2016-2017 Fiscal Year. A copy of the electronic signature for the certified mailing is attached as Exhibit 3.

15. The Commission received no objections from Respondent to the assessment amount set forth in the 2016-2017 Fiscal Year Assessment Invoice.

16. Subsequent to the mailing of Respondent's 2016-2017 Fiscal Year Assessment Invoice, a credit in the amount of \$1,491, related to a prior assessment payment, was applied to Respondent's 2016-2017 Fiscal Year Assessment.

17. On or about November 11, 2016, Respondent submitted payment in the amount of \$28 to be applied to its 2016-2017 Fiscal Year Assessment.

18. On or about December 14, 2016, Respondent submitted payment in the amount of \$1,000 to be applied to its 2016-2017 Fiscal Year Assessment.

19. On or about February 14, 2017, Respondent submitted payment in the amount of \$500 to be applied to its 2016-2017 Fiscal Year Assessment.

20. Respondent failed to fully pay the amount of the 2016-2017 Fiscal Year Assessment Invoice.

21. Respondent's remaining, outstanding assessment balance related to the 2016-2017 Fiscal Year is \$7,690.

##### *2017-2018 FISCAL YEAR*

22. On or about February 13, 2017, the Commission mailed to Respondent an assessment report for Respondent to report its gross intrastate operating revenues for the 2016 calendar year.

23. The assessment report was accompanied by instructions, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2017. A copy of the assessment report and instructions is attached as Exhibit 4.

24. Respondent failed to file an assessment report stating its 2016 calendar year revenues.

25. On or about September 5, 2017, the Commission mailed to Respondent, by certified mail, an assessment invoice for the July 1, 2017 to June 30, 2018 Fiscal Year ("2017-2018 Fiscal Year") that was based, in part, on Respondent's estimated revenues for the 2016 calendar year. Respondent's assessment was \$13,566. A copy of the assessment invoice is attached as Exhibit 5.

26. Accompanying the assessment invoice was a notice of assessment that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days. A copy of the notice of assessment is attached as Exhibit 6.

27. On September 7, 2017, Respondent provided an electronic signature to the United States Postal Service for the certified mailing, which indicated that it received the assessment invoice and notice of assessment for the 2017-2018 Fiscal Year. A copy of the electronic signature for the certified mailing is attached as Exhibit 7.

28. The Commission received no objections from Respondent to the assessment amount set forth in the 2017-2018 Fiscal Year Assessment Invoice.

29. Respondent failed to pay the amount of the 2017-2018 Fiscal Year Assessment Invoice of \$13,566.

30. On or about November 9, 2017, the Commission's Bureau of Administration ("ADM") sent Respondent a letter warning Respondent that if it did not pay its outstanding assessments to the Commission within 30 days of receipt of the letter, then ADM would refer the matter to I&E for prosecution.

31. Respondent did not pay its outstanding assessments.

32. On or about January 19, 2018, I&E sent Respondent a letter warning Respondent that if it did not pay its outstanding assessments to the Commission within 30 days of receipt of the letter, then I&E would file a Formal Complaint against Respondent seeking payment of the outstanding assessments and a civil penalty and revocation of Respondent's Certificate and vehicle registration(s) with the Pennsylvania Department of Transportation.

33. Respondent did not pay its outstanding assessments.

34. The total outstanding assessment balance for Respondent related to the 2016-2017 and 2017-2018 Fiscal Year is \$21,256.

#### Violations

#### COUNT 1

35. That Respondent failed to report its gross intrastate operating revenues for the 2016 calendar year in that it did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.<sup>1</sup> This civil penalty, consistent with past Commission decisions,<sup>2</sup> is based on Respondent's acceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>3</sup> the amount of Respondent's outstanding assessment balance related to the 2017-2018 Fiscal Year, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.<sup>4</sup>

#### COUNTS 2-3

36. That Respondent failed to satisfy its 2016-2017 and 2017-2018 Fiscal Year Assessments in that it did not pay the amounts due within thirty (30) days of receipt of the invoices. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$3,200.<sup>5</sup> This civil penalty, consistent with past Commission decisions,<sup>6</sup> is based on Respondent's acceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>7</sup> the number of outstanding assessments at issue in the Complaint, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.

<sup>1</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>2</sup> See *Pa. Pub. Util. Comm'n v. Juan Genet Enter., LLC t/a Safe Destinations*, Docket No. C-2014-2450660 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Leo Movers & Storage, Inc.*, Docket No. C-2015-2494528 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Hoffman Landscaping & Trucking, LLP*, Docket No. C-2015-2495061 (Order entered September 21, 2017); *Pa. Pub. Util. Comm'n v. Deer Haven, LLP*, Docket No. C-2015-2498095 (Order entered October 26, 2017); *Pa. Pub. Util. Comm'n v. Reach for the Stars Limousine Serv. Inc.*, Docket No. C-2015-2499276 (Order entered October 26, 2017).

<sup>3</sup> A review of the Commission's records for a period of three (3) years prior to the date of the filing of this Complaint demonstrates that Respondent has an acceptable compliance history with the Commission. Respondent failed to provide consumer with previously scheduled ride to the airport in 2017 at Docket No. C-2017-2634996.

<sup>4</sup> The Commission promulgated a Policy Statement at 52 Pa. Code § 69.1201 as a guideline that sets forth ten factors that are to be considered when evaluating whether and to what extent a civil penalty for violating a Commission order, regulation, or statute is warranted. Among these factors are the compliance history of the regulated entity that committed the violation, the amount of the civil penalty necessary to deter future violations, and past Commission decisions in similar situations. 52 Pa. Code §§ 69.1201(c)(6), (8), and (9).

<sup>5</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>6</sup> See supra note 2.

<sup>7</sup> See supra note 3.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$24,956, which consists of its outstanding assessment balance of \$21,256 and a total civil penalty of \$3,700 for the above described violations. Said payment should be made by certified check or money order, made payable to the "Commonwealth of Pennsylvania" with the docket number of this proceeding listed, and mailed to the Secretary's Bureau of the Commission;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the assessments and civil penalty is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,

Kourtney L. Myers

Prosecutor

Pennsylvania Public Utility Commission

Bureau of Investigation and Enforcement

P.O. Box 3265

Harrisburg, PA 17105-3265

717.705.4366

komyers@pa.gov

Date: June 28, 2019

#### VERIFICATION

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, Finance and Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: June 28, 2019

Amy Zuvich, Chief of Finance and Assessments

Finance and Assessment Section

Bureau of Administration

Pennsylvania Public Utility Commission

P.O. Box 3265

Harrisburg, PA 17105-3265

Exhibit 1



Commonwealth of Pennsylvania  
**Pennsylvania Public Utility Commission**  
Harrisburg, PA 17105-3265

**GENERAL ASSESSMENT INVOICE**

INVOICE DATE	INVOICE NUMBER
9/1/2016	16-632771

FISCAL YEAR
July 1, 2016 to June 30, 2017

HARRISBURG CITY CAB INC  
LAMONT PALMER  
140 S 17TH ST  
HARRISBURG PA 17104

- Read Carefully Notice of Assessment
- Use Return Envelope Provided
- Make Check Payable to:  
Commonwealth of Pennsylvania

Pennsylvania Public Utility Commission	\$10,709.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$10,709.00</b>

TO RECEIVE PROPER CREDIT FOR YOUR  
PAYMENT, REMOVE THE BOTTOM PART OF  
THIS INVOICE AT THE PERFORATION AND  
RETURN WITH YOUR REMITTANCE

**MAIL PAYMENT TO:**  
PA PUC  
PO BOX 61380  
HARRISBURG, PA 17106-1380

FOLD AND CUT HERE

RETURN THIS PORTION WITH YOUR REMITTANCE

HARRISBURG CITY CAB INC  
LAMONT PALMER  
140 S 17TH ST  
HARRISBURG PA 17104

INVOICE DATE	INVOICE NUMBER
9/1/2016	16-632771
FISCAL YEAR	
July 1, 2016 to June 30, 2017	

Pennsylvania Public Utility Commission	\$10,709.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$10,709.00</b>

16000063277191 09011610001070900200000000030000000000 000010709009

MC Only

## Exhibit 2

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

## NOTICE OF ASSESSMENT

EXPLANATION OF BILL FOR GENERAL ASSESSMENT  
FOR FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017

In Section 510 of the Public Utility Code, 66 Pa. C.S. §510, the Pennsylvania General Assembly has authorized the Pennsylvania Public Utility Commission to assess all public utilities a percentage of their gross intrastate operating revenues for the preceding calendar year. Under Section 510, each public utility is required, on or before March 31 of each year to file with the Commission a statement of the utility's gross intrastate operating revenues for the preceding calendar year. After receiving the utilities' statements of gross intrastate operating revenues, the Commission sends general assessment invoices to all public utilities to advise each utility of the amount of assessment that utility owes based upon that utility's activity (gross intrastate operating revenues) in the preceding year. The enclosed assessment is for your proportionate share of the estimated expenses of the Public Utility Commission for the Commission's Fiscal Year July 1, 2016 to June 30, 2017.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. Filing an objection, however, does not eliminate your obligation to pay the assessment while your objection is being considered. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Commission regarding your assessment invoice, please make reference to your invoice number. A receipt for payment will not be issued. Please mail your payment with the return portion of your invoice in the enclosed self-addressed envelope. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2015 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2015 have been taken from the Assessment Reports Form GAO-15, AR-15-RR or AR-15-MC which you have filed with the Commission, or have been estimated by the Commission if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule B enclosed herewith.

The approved estimate of expenditures of the Commission for the period July 1, 2016 to June 30, 2017 payable as a General Assessment by the public utilities which the Commission regulates has been determined as follows:

Estimate of the expenditures of the Commission for the Fiscal Year July 1, 2016 to June 30, 2017	\$71,947,000
Deduct:	
Pipeline Operators	\$624,260
Prior Years Returned Funds	\$5,517,642
Fee Collections	\$794,358
UCR/NGS/EGS	\$12,261,170
Total Deductions	<u>\$19,197,430</u>
Total Assessment allocated to Public Utility groups furnishing various types Of public service	\$52,749,570

The way in which the total Public Utility Commission assessment of \$52,749,570 has been allocated to the various groups of public utilities is shown on Schedules A and B enclosed herewith.



Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT INFORMATION:**

Assessment Section Information - Telephone 717-265-7548

Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2016-17

## SCHEDULE A

Group	Total Expenditures per Utility Group Calendar Year 2015	Percentage Distribution	Estimated Expenditures Fiscal Year 2016-2017 by Utility Group
Electric	\$21,161,551	46.0922%	\$24,313,438
Gas	\$9,976,477	21.7299%	\$11,462,429
Pipeline	\$139,468	0.3038%	\$160,253
Steam Heat	\$243,441	0.5302%	\$279,678
Tele./Tele.	\$5,760,929	12.5480%	\$6,619,016
Water/Sewer	\$4,302,861	9.3721%	\$4,943,742
Transportation - Passenger	\$2,329,083	5.0730%	\$2,675,986
Transportation - Property	\$618,690	1.3476%	\$710,853
Transportation - Rail	\$1,378,809	3.0032%	\$1,584,175
<b>Total</b>	<b>\$45,911,309</b>	<b>100.00%</b>	<b>\$52,749,570</b>

## SCHEDULE B

Group	Estimated Expenditures Fiscal Year 2016-2017 by Utility Group	Gross intrastate revenues by utility group Calendar Year 2015	General Assessment Factor by Utility Group (Col. (a) / by Col. (b))
	(a)	(b)	(c)
Electric	\$24,313,438	\$7,757,320,121	0.003134257401
Gas	\$11,462,429	\$3,419,595,396	0.003351983984
Pipeline	\$160,253	\$51,279,359	0.003125097566
Steam Heat	\$279,678	\$96,935,251	0.002885204269
Tele./Tele.	\$6,619,016	\$2,234,715,615	0.002961905289
Water/Sewer	\$4,943,742	\$1,124,065,085	0.004398092304
Transportation - Passenger	\$2,675,986	\$204,258,071	0.013101004954
Transportation - Property	\$710,853	\$385,233,400	0.001845252774
Transportation - Rail	\$1,584,175	\$120,150,044	0.013184972283
<b>Total</b>	<b>\$52,749,570</b>	<b>\$15,393,552,342</b>	<b>0.003426731454</b>

**SUPPLEMENTAL SCHEDULE  
FEDERAL SHORTFALL RELATED TO GAS SAFETY APPLICABLE TO GAS PUBLIC UTILITIES ONLY**

	<b>Estimated Commission Federal Shortfall for Calendar Year 2015 and 6 Months of Calendar Year 2016</b>	<b>Actual Commission Federal Shortfall for Calendar Year 2015 and 6 Months of Calendar Year 2016</b>	<b>Estimated Commission Federal Shortfall for Calendar Year 2016 and 6 Months of Calendar Year 2017</b>
Gas	(\$685,832)	\$329,532	\$356,300
	<b>Net Estimated Commission Federal Shortfall for Fiscal Year 2016-17 Assessment</b>	<b>Reported Revenue for Gas Utility Group for Calendar Year 2015</b>	<b>Supplemental add-on Factor</b>
Gas	\$0	\$3,419,595,396	0.000000000000



Exhibit 3

My Online Services

Profile Print Guide Export

Systems Reports E-Services Supplies

Home > E-Services > Status History

Status History ?

Tracking Number Information

<b>Meter:</b>	12650040	<b>Mailing Date:</b>	09/08/16 02:37 PM
<b>Tracking Number:</b>	9171969009350134135996	<b>Sender:</b>	
<b>Current Status:</b>	OK : Delivered	<b>Recipient:</b>	
<b>Class of Mail</b>	FC	<b>Zip Code:</b>	19612
<b>Service:</b>	ERR	<b>City:</b>	READING
<b>Value</b>	\$0.465	<b>State:</b>	PA

Proof of delivery



Handwritten signature and address: 140 S 17th

Status Details

▼ Status Date	Status
Wed, 09/14/16, 12:42:00 PM	OK : Delivered
Sat, 09/10/16, 08:29:00 AM	Arrival at Unit
Sat, 09/10/16, 02:58:00 AM	Processed (processing scan)
Fri, 09/09/16, 05:02:00 AM	Dispatched from Sort Facility
Thu, 09/08/16, 09:14:00 PM	Processed (processing scan)
Thu, 09/08/16, 07:59:00 PM	Origin Acceptance
Thu, 09/08/16, 05:41:00 PM	OK: USPS acknowledges reception of Info

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.

## Exhibit 4

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

INSTRUCTIONS FOR PREPARING 2016 ASSESSMENT REPORT FOR MOTOR CARRIERS

You must report your gross intrastate operating revenue for calendar year 2016 on the 2016 Assessment Report, which is enclosed. You are required to sign, notarize, and file the 2016 Assessment Report with the Commission on or before March 31, 2017. Please use the self-addressed return envelope enclosed. THE PUC WILL NOT GRANT AN EXTENSION OF TIME TO FILE THIS REPORT.

**WHO MUST FILE:** All common carriers certificated by the Commission. Common Carriers include property carriers, passenger carriers, and household goods carriers. Carriers subject to the UCR Act must file this Report, even though qualified UCR operations of carriers registered under the UCR Act will not be assessed.

**WHAT YOU MUST FILE:** Assessment Report (Form AR-16-MC) must be completed in its entirety in order to be accepted as final. This includes signatures and notarization along with receipt in the Commission's Assessment Section on or before March 31, 2017. This report form may not be modified. Please be sure to include a valid telephone number for the contact person to answer questions, if necessary. The following are addresses for the Assessment Section of the PUC.

## Mailing Address:

Regular Mail: Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA, 17105-3265

Express Mail: Pa. Public Utility Commission  
400 North Street  
Harrisburg, PA, 17120

**NAME AND ADDRESS:** Verify that the preprinted name and address are correct. If this is not correct, cross out and print the correct information. Please provide an email address and the current telephone number.

LINE-BY-LINE INSTRUCTIONSLine 1. *Pennsylvania Gross Intrastate Operating Revenue.*

Report Pennsylvania gross intrastate operating revenue here. This is earned revenue from your public utility operations gross within the boundaries of the Commonwealth of Pennsylvania, without deduction of expenses of any kind. Fuel surcharges must be included as revenue. Revenue must be reported in the appropriate column. For example, if all of your revenue was from the transportation of property, you must report all revenue in the 'property' column. If your revenue was from 2 or more types of common carriage, you must report the amount of revenue received from each type, in the appropriate column.

Revenue earned from service under the jurisdiction of the Philadelphia Parking Authority must be reported as exempt revenue.

Line 2. *Pennsylvania Exempt Intrastate Revenue Total.*

Report Exempt Intrastate Revenue here. You must itemize any exemptions on the "Exempt Intrastate Revenue" lines on the Report. Attach additional sheets of paper as needed for explanation of exemptions. The PUC may disallow your exemptions if you fail to itemize. Total all exempt revenue on Line 2.

Line 3. *Pennsylvania Net Intrastate Operating Revenue.*

Subtract Line 2 from Line 1.

UCR REGISTRATION INFORMATION

You must check the appropriate box. If you are an interstate carrier and required to register under the UCR Program, you must check 'yes' and provide your U.S. DOT number. For the purposes of this report, INTERSTATE operating revenue refers to revenue earned from the transportation of property or persons between points of origin and destination, either or both of which are outside Pennsylvania.

Further information on the UCR Program may be found at [www.ucr.in.gov](http://www.ucr.in.gov)

ASSESSMENT INQUIRIES: Assessment Section-(717) 265-7548  
UCR INQUIRIES: B. I. E.-(717) 783-3846

## EXEMPT REVENUE

The following is a description of Exempt Revenue you may deduct on Line 2, as provided by 66 Pa.C.S. §102:

1. **LEASE REVENUE** – You may deduct lease revenue. Lease revenue is revenue a certificated carrier (lessor) receives when it leases its equipment to another certificated carrier (lessee). The lessor carrier cannot retain any responsibility for the maintenance, supervision or control of the vehicle. The leasing arrangement must be in compliance with the Commission's leasing regulations, which are found at 52 Pa. Code sections 29.101 (passenger carrier leasing) and 31.32 (property and household carrier leasing). The lessor must include in its assessment report the name(s) of the carrier(s) and the certificate of public convenience number to which it leases its equipment and the amount of revenue received from the carrier. Lessees cannot use rental/lease fees paid to the lessor to offset operating revenue and must report, for assessment purposes, all revenues earned under their certificate of public convenience.
2. **TRANSPORTATION OF K-12 SCHOOL CHILDREN** – You may deduct revenue you received from a kindergarten through 12<sup>th</sup> grade public, private or parochial school for the transportation of schoolchildren for school purposes or school sponsored extra-curricular activities, under a bona fide transportation contract with a public, private or parochial school.
3. **TRANSPORTATION OF AGRICULTURE PRODUCTS** – Farm owners and operators may deduct revenue from transporting their own agricultural products from, or farm supplies to, their farm. In addition, independent contractors or cooperative agricultural associations, transporting agricultural products or farm supplies exclusively for one or more farm owner(s) or operator(s), may deduct that revenue.
4. **WASTE, EXCAVATED AND ROAD CONSTRUCTION MATERIALS** – You may deduct revenue you received from transporting ashes (including anti-skid, flue dust and fly ash), rubbish and waste for disposal. The PUC also allows the exemption/deduction of any revenue you received for transporting excavated materials in dump trucks. The purpose of the excavation is to create a hole or cavity. Removing material of value for use elsewhere is NOT exempt. The PUC also allows the exemption/deduction of any revenue you received for transporting road construction materials if a dump truck is used, and the materials hauled are used solely in a private or public road project including driveways (but NOT parking lots), and the materials are hauled directly to road construction sites or stockpiles. Carriers may **not** claim a revenue exemption for waste, excavated and road construction material when those materials were transported in five-axle tractor-trailers.
5. **TRANSPORTATION OF YOUR OWN PROPERTY**- You may deduct revenue you received from transporting your own property to yourself or to those that buy directly from you.
6. **VOTING MACHINES** – You may deduct revenue you received from transporting voting machines to and from polling places on behalf of any political subdivision of the Commonwealth for use in any primary, general or special election.
7. **TRANSPORTATION OF WOOD PRODUCTS FROM WOODLOTS**- You may deduct revenue you received from transporting pulpwood, chemical wood, saw logs, wood chips, or veneer logs solely from woodlots. A woodlot is an area devoted to growing forest trees. Any revenue received from transportation performed from sources other than the woodlots is subject to assessment and may not be deducted.
8. **TRANSPORTATION OF WRECKED OR DISABLED VEHICLES** – You may deduct revenue you received from the transportation of wrecked or disabled motor vehicles from an accident, breakdown, or a place the vehicle was transported after the accident or breakdown, if it is subsequently transported for repair. Revenue from transportation of wrecked or disabled vehicles to or from auctions is NOT exempt.
9. **TRANSPORTATION OF STOLEN OR REPOSSESSED VEHICLES**- You may deduct revenue you received from the transportation of stolen or repossessed vehicles. Revenue from transportation of stolen or repossessed vehicles to or from auctions is NOT exempt.
10. **TRANSPORTATION OF INJURED, ILL OR DECEASED PERSONS** – You may deduct revenue you received from transporting an injured or ill person to a health care facility, when that transportation is performed in an ambulance or a medically equipped vehicle containing portable oxygen. A medical attendant must be in the vehicle in addition to the driver. A health care facility includes a hospital, clinic, dialysis center, nursing care institution, home health agency, infirmary, or behavioral service provider. A doctor's office is NOT a health care facility. In addition, you may deduct revenue you received from transporting deceased persons.
11. **TRANSPORTATION UNDER CONTRACT WITH MUNICIPAL CORPORATIONS**- You may deduct revenue you received from passenger transportation performed under contract with a municipal corporation, provided that: (1) the municipal corporation actively regulates your rates, routes and services; and (2) the transportation is limited to municipal residents. This deduction does not apply to contracts with state agencies.



COMMONWEALTH OF PENNSYLVANIA  
 PUBLIC UTILITY COMMISSION  
 PO BOX 3265  
 HARRISBURG, PA 17105-3265

**2016 ASSESSMENT REPORT-MOTOR CARRIERS**

This Report **MUST BE FILED** not later than **MARCH 31, 2017**. Failure to file may result in fines up to \$1,000 for each day a violation continues (66 Pa. C.S. § 3301).

TRADE OR CORPORATE NAME OF UTILITY:	UTILITY CODE
CONTACT NAME:	EMAIL (Optional):
ADDRESS 1:	ADDRESS 2 (Floor, Suite, etc.):
CITY, STATE, ZIP:	PHONE NO.

**OPERATING REVENUE FOR CALENDAR YEAR 2016 (January 1, 2016-December 31, 2016)**

(Enter **WHOLE** dollars only)

	PROPERTY	HOUSEHOLD GOODS	PASSENGER	
			Group and Party 16 or more	Passenger 15 and Under
<b>1. PA INTRASTATE OPERATING REVENUE</b>				
<b>PA EXEMPT INTRASTATE REVENUE</b>				
<b>A. #</b>				
<b>B. #</b>				
<b>C. #</b>				
<b>D. #</b>				
<b>2. TOTAL Exempt Revenue</b>				
<b>3. PA NET INTRASTATE OPERATING REVENUE (Subtract Line 2 from Line 1)</b>				

**UCR REGISTRATION INFORMATION**

2017 UCR Registered  YES  NO US DOT #: \_\_\_\_\_

**Internal Use Only**

A-1  C-1

«AddressType»

**AUTHORIZATION FOR RELEASE OF STATE TAX RECORDS**

In accordance with Sections 505 and 506 of the Public Utility Code, as a means to verify the accuracy of financial information supplied to the Public Utility Commission, I hereby authorize the Pennsylvania Department of Revenue to release to the Public Utility Commission, any tax records filed or compiled with regard to the below-listed utility and/or individual.

\_\_\_\_\_  
Utility Name

\_\_\_\_\_  
Signature

Date \_\_\_\_\_ Name (Printed) \_\_\_\_\_ Title \_\_\_\_\_

**AFFIDAVIT**

I affirm that the information reported herein is complete, true and correct.

\_\_\_\_\_  
(Signature of Individual or Officer)

\_\_\_\_\_  
(Date)

READABLE (PRINT OR TYPE) NAME OF INDIVIDUAL or OFFICER ABOVE:

TELEPHONE NO.:

Office ( ) \_\_\_\_\_

Other ( ) \_\_\_\_\_

Other ( ) \_\_\_\_\_

**NOTARIZATION**

(Required)

Subscribed and sworn to before me this

\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
NOTARY SIGNATURE

\_\_\_\_\_  
OFFICIAL TITLE

OFFICIAL SEAL

\_\_\_\_\_  
(Date My Commission Expires)



Commonwealth of Pennsylvania  
**Pennsylvania Public Utility Commission**  
Harrisburg, PA 17105-3265

**GENERAL ASSESSMENT INVOICE**

INVOICE DATE	INVOICE NUMBER
9/5/2017	17-632771

FISCAL YEAR
July 1, 2017 to June 30, 2018

HARRISBURG CITY CAB INC  
LAMONT PALMER  
140 S 17TH ST  
HARRISBURG PA 17104

- Read Carefully Notice of Assessment
- Use Return Envelope Provided
- Make Check Payable to:  
Commonwealth of Pennsylvania

Pennsylvania Public Utility Commission	\$13,566.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$13,566.00</b>

TO RECEIVE PROPER CREDIT FOR YOUR  
PAYMENT, REMOVE THE BOTTOM PART OF  
THIS INVOICE AT THE PERFORATION AND  
RETURN WITH YOUR REMITTANCE

**MAIL PAYMENT TO:**  
PA DOR  
PO BOX 61380  
HARRISBURG, PA 17106-1380

FOLD AND CUT HERE

RETURN THIS PORTION WITH YOUR REMITTANCE

HARRISBURG CITY CAB INC  
LAMONT PALMER  
140 S 17TH ST  
HARRISBURG PA 17104

INVOICE DATE	INVOICE NUMBER
9/5/2017	17-632771
FISCAL YEAR	
July 1, 2017 to June 30, 2018	

Pennsylvania Public Utility Commission	\$13,566.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$13,566.00</b>

17000063277171 09051710001356600200000000003000000000 000013566006

MC Only

## Exhibit 6

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

## NOTICE OF ASSESSMENT

EXPLANATION OF BILL FOR GENERAL ASSESSMENT  
FOR FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018

In Section 510 of the Public Utility Code, 66 Pa. C.S. §510, the Pennsylvania General Assembly has authorized the Pennsylvania Public Utility Commission to assess all public utilities a percentage of their gross intrastate operating revenues for the preceding calendar year. Under Section 510, each public utility is required, on or before March 31 of each year to file with the Commission a statement of the utility's gross intrastate operating revenues for the preceding calendar year. After receiving the utilities' statements of gross intrastate operating revenues, the Commission sends general assessment invoices to all public utilities to advise each utility of the amount of assessment that utility owes based upon that utility's activity (gross intrastate operating revenues) in the preceding year. The enclosed assessment is for your proportionate share of the estimated expenses of the Public Utility Commission for the Commission's Fiscal Year July 1, 2017 to June 30, 2018.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. Filing an objection, however, does not eliminate your obligation to pay the assessment while your objection is being considered. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Commission regarding your assessment invoice, please make reference to your invoice number. A receipt for payment will not be issued. Please mail your payment with the return portion of your invoice in the enclosed self-addressed envelope. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2016 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2016 have been taken from the Assessment Reports Form GAO-16, AR-16-RR or AR-16-MC which you have filed with the Commission, or have been estimated by the Commission if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule B enclosed herewith.

## NOTICES

The approved estimate of expenditures of the Commission for the period July 1, 2017 to June 30, 2018 payable as a General Assessment by the public utilities which the Commission regulates has been determined as follows:

Estimate of the expenditures of the Commission for the Fiscal Year July 1, 2017 to June 30, 2018	\$73,499,000
Deduct:	
Budget Reserve Pending Legislation (PWA)	\$733,000
Pipeline Operators per Act 127 of 2011	\$646,553
UGWF Administration Act 13 of 2012	\$1,408,000
Prior Years Returned Funds	\$5,400,000
Fee Collections	\$289,703
UCR/NGS/EGS	<u>\$12,114,652</u>
Total Deductions	<u>\$20,591,908</u>
Total Assessment allocated to Public Utility groups furnishing various types of public service	\$52,907,092

The way in which the total Public Utility Commission assessment of \$52,907,092 has been allocated to the various groups of public utilities is shown on Schedules A and B enclosed herewith.



Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT INFORMATION:**

Assessment Section Information - Telephone 717-265-7548



Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2017-18

## SCHEDULE A

Group	Total Expenditures per Utility Group Calendar Year 2016	Percentage Distribution	Estimated Expenditures Fiscal Year 2017-2018 by Utility Group
Electric	\$24,240,765	45.7222%	\$24,190,287
Gas	\$11,406,599	21.5148%	\$11,382,855
Pipeline	\$162,386	0.3063%	\$162,054
Steam Heat	\$282,440	0.5327%	\$281,836
Tele./Tele.	\$5,973,562	11.2671%	\$5,961,095
Water/Sewer	\$4,931,756	9.3021%	\$4,921,471
Transportation - Passenger	\$4,187,783	7.8989%	\$4,179,078
Transportation - Property	\$705,309	1.3303%	\$703,823
Transportation - Rail	\$1,126,948	2.1256%	\$1,124,593
<b>Total</b>	<b>\$53,017,548</b>	<b>100.00%</b>	<b>\$52,907,092</b>

## SCHEDULE B

Group	Estimated Expenditures Fiscal Year 2017-2018 by Utility Group	Gross intrastate revenues by utility group Calendar Year 2016	General Assessment Factor by Utility Group (Col. (a) / by Col. (b))
	(a)	(b)	(c)
Electric	\$24,190,287	\$7,789,115,585	0.003105652591
Gas	\$11,382,855	\$3,089,182,967	0.003684746136
Pipeline	\$162,054	\$44,186,061	0.003667536692
Steam Heat	\$281,836	\$81,423,347	0.003461365940
Tele./Tele.	\$5,961,095	\$2,095,709,247	0.002844428448
Water/Sewer	\$4,921,471	\$1,161,310,517	0.004237859666
Transportation - Passenger	\$4,179,078	\$276,978,774	0.015088080360
Transportation - Property	\$703,823	\$412,397,692	0.001706660861
Transportation - Rail	\$1,124,593	\$106,882,231	0.010521795714
<b>Total</b>	<b>\$52,907,092</b>	<b>\$15,057,186,421</b>	<b>0.003513743572</b>

**SUPPLEMENTAL SCHEDULE  
FEDERAL SHORTFALL RELATED TO GAS SAFETY APPLICABLE TO GAS PUBLIC UTILITIES ONLY**

	<b>Estimated Commission Federal Shortfall for Calendar Year 2016 and 6 Months of Calendar Year 2017</b>	<b>Actual Commission Federal Shortfall for Calendar Year 2016 and 6 Months of Calendar Year 2017</b>	<b>Estimated Commission Federal Shortfall for Calendar Year 2017 and 6 Months of Calendar Year 2018</b>
Gas	(\$685,832)	\$329,532	\$356,300
	<b>Net Estimated Commission Federal Shortfall for Fiscal Year 2017-18 Assessment</b>	<b>Reported Revenue for Gas Utility Group for Calendar Year 2016</b>	<b>Supplemental add-on Factor</b>
Gas	\$0	\$3,419,595,396	0.000000000000

Exhibit 7

My Online Services

Profile Print Guide Export

Systems

Reports

E-Services

Supplies


Home > E-Services > Status History

Status History ?

**Tracking Number Information**

<b>Meter:</b>	12650040	<b>Mailing Date:</b>	09/05/17 01:35 PM
<b>Tracking Number:</b>	9171969009350170791057	<b>Sender:</b>	
<b>Current Status:</b>	OK : Delivered	<b>Recipient:</b>	
<b>Class of Mail</b>	FC	<b>Zip Code:</b>	15301
<b>Service:</b>	ERR	<b>City:</b>	WASH
<b>Value</b>	\$0.460	<b>State:</b>	PA

[Proof of delivery](#)



**Status Details**

▼ Status Date	Status
Thu, 09/07/17, 10:30:00 AM	OK : Delivered
Wed, 09/06/17, 04:57:00 AM	Dispatched from Sort Facility
Tue, 09/05/17, 10:19:00 PM	Processed (processing scan)
Tue, 09/05/17, 06:27:00 PM	Processed (processing scan)
Tue, 09/05/17, 05:12:00 PM	Origin Acceptance
Tue, 09/05/17, 03:50:00 PM	OK: USPS acknowledges reception of info

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.

[Pa.B. Doc. No. 20-621. Filed for public inspection May 1, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Water Service

**A-2020-3019519. Pennsylvania American Water Company.** Application of Pennsylvania American Water Company for approval, nunc pro tunc, to offer, render, furnish or supply water service to the public in an additional portion of Valley Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, May 18, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Susan Simms Marsh, Deputy General Counsel, Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-622. Filed for public inspection May 1, 2020, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. James W. Sanders, Case No. 18-45-008868

On September 25, 2018, James W. Sanders, license No. CO282276, last known of Latrobe, Westmoreland County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated August 20, 2018, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order at [www.pals.pa.gov](http://www.pals.pa.gov).

TAMMY O'NEILL,  
*Chairperson*

[Pa.B. Doc. No. 20-623. Filed for public inspection May 1, 2020, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Bureau of Professional and Occupational Affairs v. Shannon L. Fink, Case No. 19-60-010334

On August 15, 2019, Shannon L. Fink, license No. MV229203, last known of Sunbury, Northumberland County, was suspended under the Order of the Court of

Common Pleas of Columbia-Montour County dated July 16, 2019, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order at [www.pals.pa.gov](http://www.pals.pa.gov).

DANIEL G. MURPHY, III,  
*Chairperson*

[Pa.B. Doc. No. 20-624. Filed for public inspection May 1, 2020, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 14, 2020, at 2:30 p.m. Due to the novel coronavirus (COVID-19) crises and the relevant orders in place in the Commission's member jurisdictions, the Commission will hold this meeting telephonically. The conference call number is (888) 387-8686. The conference room code number is 9179686050. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on amendments to the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. The projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 19, 2020, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is May 27, 2020.

For further information contact Jason Oyler, General Counsel and Secretary to the Commission, (717) 238-0423, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf](http://www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf).

#### Supplementary Information

The public hearing will cover the following projects.

#### Projects Scheduled for Action

1. Project Sponsor and Facility: Cabot Oil & Gas Corporation, Eaton Township, Wyoming County, PA. Application for renewal of groundwater withdrawal of up to 0.864 mgd (30-day average) from the Hatchery Wellfield (Wells 1, 2 and 3) (Docket No. 20160610).

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Windham Township, Wyoming County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek), Wyalusing Township, Brad-

ford County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

4. Project Sponsor and Facility: Green Leaf Water, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.900 mgd (peak day) (Docket No. 20160601).

5. Project Sponsor: Pennsylvania-American Water Company. Project Facility: Susquehanna District, Great Bend Township, Susquehanna County, PA. Application for renewal of groundwater withdrawal of up to 0.144 mgd (30-day average) from Well 2 (Docket No. 19900303).

6. Project Sponsor and Facility: Shippensburg Borough Authority, Southampton Township, Cumberland County, PA. Application for renewal of groundwater withdrawal of up to 1.280 mgd (30-day average) from Well 1 (Docket No. 19900713).

*Commission-Initiated Project Approval Modifications*

1. Project Sponsor and Facility: The Municipal Authority of the Borough of Berlin, Allegheny Township, Somerset County, PA. Conforming the grandfathering amount with the forthcoming determination for a groundwater withdrawal up to 0.030 mgd (30-day average) from Well 6 (Docket No. 19980702).

2. Project Sponsor and Facility: Iron Masters Country Club, Bloomfield Township, Bedford County, PA. Conforming the grandfathering amount with the forthcoming determination for groundwater withdrawals up to 0.051 mgd (30-day average) from Well 10 and up to 0.061 mgd (30-day average) from Well 14 (Docket No. 20020813).

3. Project Sponsor and Facility: Sinking Valley Country Club, Tyrone Township, Blair County, PA. Conforming the grandfathering amount with the forthcoming determina-

tion for groundwater withdrawals up to 0.081 mgd (30-day average) from the 14th Fairway Well and up to 0.099 mgd (30-day average) from the 8th Tee Well (Docket No. 20020811).

*Opportunity to Appear and Comment:*

Interested parties may call into the hearing to offer comments to the Commission on any previously listed business required to be subject of a public hearing. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing by means of telephone will begin at 2:15 p.m. Guidelines for the public hearing are posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any previously listed business required to be subject of a public hearing may also be mailed to Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before May 27, 2020, to be considered.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* April 15, 2020

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 20-625. Filed for public inspection May 1, 2020, 9:00 a.m.]





